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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Dominican Republic

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I. Methodology and consultation process

1. The methodology used to prepare this report was informed by consultations with the State institutions responsible for developing public policy to strengthen the basic rights of those who live in the Dominican Republic and also by consultations with major civil society organizations.

2. The follow-up report was drafted by the Inter-Agency Human Rights Commission, which reports to the Ministry of Foreign Affairs.

3. This document sets out the progress made by the Dominican Republic from 2015 to 2018, during which period the public institutions provided inputs on subjects under their remit, resulting in a draft document that was submitted to the Government, through the Ministry of Foreign Affairs, for its consideration and approval.

4. The Dominican Republic took as its basis the commitment it had undertaken before the international community to take action on the 87 recommendations that it had accepted out of the 134 recommendations made during its interactive dialogue with the countries that participated in its universal periodic review in 2014. It is honoured to submit its follow-up report on those recommendations as part of the third cycle of the universal periodic review and in accordance with General Assembly resolution 60/251 and Human Rights Council resolutions 5/1 and 16/21 and Human Rights Council decision 17/119.

II. Achievements in the protection of human rights in follow-up to the recommendations

A. The Ombudsman and human rights institutions (recommendations 98.22, 98.23. 98.24, 98.25, 98.26, 98.27 and 98.28)

5. Article 190 of the Constitution of 2015 establishes that: "The Ombudsman is an independent authority and has administrative and budgetary autonomy". Likewise, article 1 of Act No. 19-01 of 2001 states that: "The Ombudsman is an executive authority that is not subject to any restriction other than that provided by law. It is an office characterized by neutrality."

6. As provided under the Constitution, the Ombudsman and his/her deputies are elected by the Senate based on short lists put forward by the Chamber of Deputies. The Ombudsman is elected for a six-year period, allowing for terms staggered with those of other government authorities.

7. Articles 36 and 37 of Act No. 19-01 establish that the budget of the Ombudsman's Office will be allocated from within the national budget and that it may not be reduced. The Ombudsman's Office may receive income from other sources such as international assistance, wills and donations. In 2018, the Ombudsman's Office was allocated a budget of RD$ 165,000,000.00 (US$ 3,300,000.00).

8. Article 25 of Act No. 19-01 provides that: "All agencies shall cooperate with the Ombudsman's Office in the latter's investigations and, in general, shall provide the Office with any assistance necessary for it to carry out its functions adequately."

9. Since 2014, the Ombudsman's Office has been conducting a publicity campaign on radio, television and social networks to explain its functions and competence. The Office's Department of Education and Promotion has distributed some 150,000 brochures, calendars, pamphlets, booklets and other materials.

B. Childhood and adolescence (recommendations 98.29, 98.69 and 98.70)

10. Successful measures benefiting children and adolescents have included the implementation of the 2012–2016 Strategic National Plan for the Reduction of Maternal

Mortality and the National Plan for the Prevention of Pregnancy. As part of the follow-up on institutional initiatives, these National Plans are currently being assessed and updated, based on intersectoral and inter-institutional arrangements.

11. In January 2013, the Ministry of Public Health and Social Welfare adopted decision No. 00004-13, making it compulsory to report externally caused injuries, physical abuse and sexual abuse of individuals under 18 years of age.

12. Progress has also been made in incorporating the subject of violence in health regulations on comprehensive care for adolescents, specifically in relation to mental health and sexually transmitted infections, including HIV/AIDS.

13. The Ministry of Public Health helped to develop the national strategy regarding violence against women, children and HIV/AIDS in 2015.

14. In terms of regional achievements in Central America, a report has been submitted following a consultancy on the design of a regional strategy for a life-cycle approach to the prevention of violence and the provision of comprehensive health care, with a focus on violence against women.

15. For 2018, the Maternal and Infant Division has been allocated a budget of RD$ 100,000,000 to carry out its initiatives, of which approximately 70 per cent will be used to acquire contraceptives in order to reduce teenage pregnancy.

16. The Office of Gender Equity and Development has a budget of RD$ 5,000,000 to carry out the activities provided for in its workplans.

17. The 2006–2016 National Strategic Plan against Child Labour is one of the country's main public policies to eliminate child labour. This Plan has been extended so as to align it with the National Development Strategy for 2030. The eradication of all child labour is thus planned for 2025, and that of the worst forms, for 2020.

18. The Dominican Republic has adopted a road map to make the country free from child labour, which incorporates the goals set out in the plan of action for decent work in the Americas known as "An agenda for the Hemisphere".

19. It is also carrying out the Sustainability Plan for the Eradication of Child Labour, adopted in 2014, which is designed to spur action to meet the goals of the National Strategic Plan and the aforementioned road map.

20. According to the most recent national household survey (2009–2010), child labour has gone down by 12.8 per cent since 2000, meaning that 132,000 children between the ages of 5 and 17 years old have been removed from work.

21. An action protocol has been adopted by the national steering committee and the local steering committees on combatting child labour.

22. The following campaigns have been carried out:

- "IF YOU SEE IT: take action, speak up, report it" (2,510 awareness-raising radio announcements)
- "Children who work lose more than they gain"
- "Your only job should be to grow and be happy"
- "Social policy and child labour" and "Red Card for Child Labour", in observance of the World Day against Child Labour

23. A forum on social policy and child labour was also held in observance of the World Day against Child Labour.

24. A panel discussion to assess the impact of social protection policies on the elimination of child labour was organized in collaboration with trade unions.

25. More than 555 talks and workshops have been held around the country to raise awareness about child labour, benefiting over 25,000 people.

26. Child labour awareness-raising activities have been organized for small and medium-sized enterprises in the eastern part of the country.

27. Awareness-raising activities relating to child labour were also carried out for six associations of agropastoralists.

28. Since 2014, thanks to the programme for the eradication of child labour run by the Ministry of Labour, 1,500 children and adolescents have been removed from the workforce.

29. A total of 31 monitoring units have been set up throughout the country with a view to boosting efforts to reduce child labour as much as possible.

30. A total of 22 public policy workshops, focused on the risks related to child labour, have been held for the benefit of 280 experts working for the Ministry of Labour, the National Council for Children and Adolescents, the "Progressing with Solidarity" programme, the Ministry of Education and others.

C. Corruption and access to justice (recommendations 98.30 and 98.75)

31. The activities carried out by the Government to combat corruption include:

- Establishment of public ethics committees within State institutions, pursuant to Decree No. 143-2017 of 26 April 2017.
- Development of a single portal for requesting access to public information (www.saip.gob.do) — an easy-to-access tool that complements the services provided by the information access bureaux.
- Introduction of the e-government programme with a view to upgrading and expediting work and facilitating the services provided through the programme, which is now used by some 207 institutions.
- Overhaul of the country's public procurement system: whereas six years ago there were 19,000 suppliers to the State, by 2017, the number of registered suppliers had grown to 72,000.
- Creation of a procurement portal for State institutions: as of 2018, the portal is being used by 166 institutions that together manage more than 70 per cent of the national budget.
- Launch of a financial management information system, a tool designed to modernize and increase the transparency of the management of public accounts.
- Act No. 311-2014, on sworn statements of assets, makes it compulsory for public servants to make a sworn and certified statement including a detailed inventory of their movable and immovable assets and establishes administrative and criminal penalties in cases of omission or falsification.
- Conclusion, in September 2017, of an agreement on good practices, with a view to boosting transparency and fostering a more participatory Government that interacts efficiently with its citizens in its management of public affairs.
- Establishment of 25 citizens' watch committees within ministries and other public institutions.

Justice system reform

32. The judiciary is committed to upholding human rights and recognizes justice as the means to hold institutions and individuals accountable for their actions.

33. In 2017, the Judicial Council heard and issued decisions in relation to 2,363 cases, including:

- The decentralization of the services provided by the criminal court of Santo Domingo Province and the upgrading of services in other areas

34. In terms of international relations, the Judicial Council, together with the Ibero-American, Central American and Caribbean legal community, took a number of targeted actions:

- Harmonizing criminal legislation and the fight against organized crime in Central America and the Dominican Republic
- Strengthening the Ibero-American Network of Legal Cooperation
- Further developing the Central American and Caribbean legal summits and Ibero-American legal summits, both of which serve as spaces for the meeting and interaction of various countries' judiciaries with which the Dominican Republic works closely
- Promoting judicial ethics as a central focus of the Ibero-American Committee for Judicial Ethics and the Central American Judicial Council

35. Inter-institutionally, the judiciary has sought to maintain cooperation and friendly relations with the Public Prosecution Service, the National Public Defence Council, the bar association, the notaries' association, ministries, municipalities, trade associations, business associations and civil society, with all of which it has concluded numerous agreements.

36. The Judicial Council held 150 disciplinary hearings involving administrative staff, resulting in a number of dismissals, suspensions and warnings as well as acquittals.

37. It handed down six decisions for the dismissal of judges, in addition to decisions involving suspensions and acquittals.

38. The most senior representative of the judiciary took part in all the activities related to the administration and governance of the National Public Defence Council, namely:

- Budget management
- Regulatory decisions
- Conclusion of institutional agreements
- Hiring of staff
- Disciplinary actions taken to ensure the good ethics and proper behaviour of the Council's staff
- Approval of its operational plans, among others

39. Recently, the Council adopted a decision establishing the general outline for a procedure for resolving conflicts in criminal matters. The procedure commanded a broad consensus among judges in the Dominican Republic.

40. On 11 October 2018, the Attorney General's Office submitted a plan for humanizing the prison system under which the system will gradually be brought into conformity with international human rights standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners.

D. Women's rights (recommendations 98.34, 98.35, 98.54, 95.55, 98.56, 98.57, 98.58, 98.59, 98.60, 98.61, 98.62, 98.63, 98.64, 98.65, 98.66, 98.67, 98.87, 98.88 and 98.98)

41. From June 2014 to the present, the Ministry for Women has led a number of campaigns to prevent and respond to violence against women:

- "Unite to stop femicide", an extension of the United Nations campaign "UNiTE to End Violence against Women".
- "The power of your voice", to raise awareness about gender-based violence and promote the 24/7 emergency helpline set up to give hope to women victims of gender-based violence.
- "Plan out your life", based on the "from one teenager to another" approach, for children and particularly adolescents. The topics covered included gender equity and

equality, women's rights, sexual and reproductive rights, the prevention of teenage pregnancy, sexually transmitted infections, HIV and AIDS and violence against women. A play entitled "It won't happen to me" was performed with a view to generating behavioural change and transformation. Approximately 208,820 people benefited from the activities.

- "March for better men", which brought together thousands of men from all sectors of society.
- "Make the space your own" to increase women's representation in elected office.
- The "This has to change" face-to-face campaign, launched in rural areas and in the neighbourhoods of Santo Domingo with the highest rates of violence.
- "Ending violence against women — It's a man's job too".
- Establishment of units specializing in violence against older persons within the Attorney General's Office, thanks to which 90 per cent of cases submitted by older persons have been resolved.

Public policies and programmes related to women

42. The "Progressing with Solidarity" programme was established by Decree No. 488-12 to strengthen the social protection network, shaping a new development model for prosperity, social inclusion and a better life, and to contribute towards the goals set out in the government plan put forward by President Danilo Medina Sánchez for the period 2012–2016 and carried over for the period 2016–2020.

43. The programme has resulted in a number of achievements:

- Through the "Training for Progress" strategy, training has been provided to 583,000 people, 15 per cent of whom have subsequently found jobs.
- As of March 2018, a total of 64,611 businesses had been set up with microcredits made available in partnership with local banks. Some 80 per cent of those businesses are headed by women.
- As of March 2018, a total of 4,406 people had joined savings and loans, agropastoralism, production, mining and crafts cooperatives.
- Strategies for improving employability under the "Progressing for Solidarity" programme have boosted job placement by 5.2 per cent and a significant impact (21 per cent increase) on the ownership of homes, whether paid for or still being paid for, has been observed.
- As of March 2018, as a result of the "Family- and community-owned orchards" strategy, 183,780 plots of land have been sown with aubergine, celery, spinach, tomatoes, lettuce, radishes, chillies and coriander. In addition, 45,444 families (23 per cent headed by women) are growing pulses, oregano and fruit trees collectively.
- A total of 23,372 families (23 per cent headed by women) are raising laying hens.
- A total of 2,766 families (23 per cent headed by women) are involved in the production of organic fertilizer.
- Some 900 families (42 per cent headed by women) are involved in fish farming.
- With the support of the Food and Agricultural Organization of the United Nations, 14 shadehouses have been built for families under the "Progressing for Solidarity" programme. The initiative is now being extended to cover all municipalities.

44. The "Surprise visits" programme was introduced by the President in 2012 to increase national production, create jobs and reduce poverty. As of December 2017, nine projects submitted by associations representing a combined membership of 761 women had been approved.

45. The "Igualando RD" equality label is awarded as part of a programme that recognizes companies, both private and public, that develop and carry out internal policies that promote the inclusion of women. The label is awarded by the Ministry for Women in collaboration with the United Nations Development Programme. Two companies

established nationally have obtained the gold label: a further 11 companies have signed letters of commitment to begin the certification process. A total of nine public institutions are also working towards certification.

46. The business portal for Dominican Women (www.dominicanasemprende.gob.do) provides information on how to create a business of any size and how to obtain loans at the lowest interest rates.

47. On the procurement portal maintained by the Government's Procurement Directorate, some 15,000 women are registered in the Registry of State Suppliers, to whom more than US$ 1 billion has been allocated since 2012. Women-led companies currently account for 23 per cent of State suppliers.

48. The "Positive image" programme, in which 19,140 older persons have participated, offers educational talks for older persons on self-care, personal hygiene and tending to one's appearance. Hairdressing services, massages and facials are also offered.

49. The Office for Gender Equity and Development established within the Coordinating Office for the Prison Management Model of the Attorney General's Office offered technical assistance to 42 public and private institutions in 2014, 42 in 2015 and 57 in 2016.

National legislation for the protection of the rights of women and girls

50. The Ministry for Women submitted proposals for incorporating a gender perspective and strengthening women's rights in the following laws and bills:

- Political Parties Act; Music Act; Labour Code; Responsible Fatherhood Act; Code of Criminal Procedure; Bill on intersectoral management and coordination of issues relating to early childhood development; Act No. 87-01 on social security; Electoral Act No. 275-97; Comprehensive Law on Violence against Women; Bill on risk management; Act No. 176-07 on the National District and Municipalities; and the Act limiting the use of uniforms for domestic workers.
- The Domestic Workers Convention, 2011 (No. 189) and the Maternity Protection Convention, 2000 (No. 183) have been ratified, the latter making it possible to increase maternity leave from 12 to 14 weeks.
- In addition, the resources allocated towards protection against violence against women and assistance for victims of such violence were increased.

Violence against women

51. The Government has carried out many programmes with a view to eliminating the serious social problem of violence against women. The following are a few examples:

- Establishment of 31 provincial offices and 21 municipal offices reporting to the Ministry for Women to ensure that programmes relating to violence against women receive national coverage
- Establishment of 23 units reporting to the Attorney General's Office to provide a comprehensive response to violence against women and family violence
- Introduction of a 24/7 hotline to provide assistance and rescue services for women victims of violence
- Establishment of the Gender Academy to provide training on gender equality as a means of preventing violence against women
- Implementation of a national workplan for assistance to victims of trafficking in the Dominican Republic
- Establishment of a committee for the critical road map for addressing violence against women
- Introduction of national standards for comprehensive health care for victims of family violence and violence against women

- In November 2017, establishment by the Attorney General's Office of the Directorate against Gender Violence and application of the National Plan against Gender Violence, containing 22 practical, immediate and quantifiable measures

52. During the period from 2013 to 2017, the Attorney General's Office received an average of 68,740 complaints annually. From January to April 2018, it received 25,162 complaints. Of the complaints received, approximately 10 per cent related to sexual offences. From January to April 2018, 2,073 complaints relating to sexual offenses were received.

53. The Centre for Men's Behaviour Change, run by the Attorney General's Office, has also achieved positive outcomes: since 2008, it has helped more than 16,000 men and, to date, no femicide has been reported among those who received assistance related to their violent conduct.

54. The Government has taken measures to increase the resources allocated to protection against violence against women and assistance for victims of such violence. It has, for instance, gradually increased the overall budget of the Ministry for Women (see table below).

Year	*Budget*	*Execution*
2014	RD$ 394 391 197.00	RD$ 372 798 212.32
2015	RD$ 436 439 193.00	RD$ 428 950 403.71
2016	RD$ 462 561 822.00	RD$ 396 445 390.10
2017	RD$ 551 133 474.00	RD$ 490 804 077.04
2018	RD$ 654 676 065.00	

E. Smuggling and trafficking in persons (recommendations 98.36, 98.71, 98.72, 98.73 and 98.74)

55. Among the most recent achievements in the fight against trafficking in persons is the establishment of a Criminal Investigation Unit within the Public Prosecution Service. Made up of 41 agents trained by the Federal Bureau of Investigation, the Unit will support investigations into trafficking cases in the Dominican Republic.

56. The Office of the Special Prosecutor for Migrant Smuggling and Trafficking in Persons has a team of six investigators to identify possible cases of trafficking. A toll-free telephone hotline, "Call and Live", has been set up to receive reports of incidents, as well as a dedicated email address serving the same purpose.

57. The Inter-Agency Commission for Combating Trafficking in Persons and Migrant Smuggling is composed of representatives of various State agencies involved in the fight against these crimes. It holds regular experts' meetings, coordinated by the Ministry of Foreign Affairs, which presides over the Commission.

58. In addition, two protocols concerning identification, support and reintegration services for trafficking survivors have been developed by the agencies that make up the Inter-Agency Commission.

59. The Ministry for Women relies on the Inter-Agency Commission for the Protection of Emigrant Women, which is composed of State and civil society institutions, as a national coordination mechanism to prevent the uninformed emigration of women through educational and employment plans.

60. A specialized home providing assistance to adult victims of trafficking, known as "Hogar Malala", has been in operation since 2016 and has hosted 83 individuals thus far.

61. In 2016, the "No excuses" prevention campaign was designed and launched. The campaign is aimed at preventing and raising awareness about the sexual exploitation of children and adolescents.

62. The second National Plan of Action against Trafficking in Persons and Migrant Smuggling for the period 2017–2020 was developed in 2017 and issued in 2018 for immediate implementation.

63. Eight convictions under national legislation for crimes of trafficking in persons and sexual and commercial exploitation involving six men and seven women were handed down in 2016, with penalties ranging from 3 to 20 years' imprisonment.

F. Racial discrimination and discrimination on grounds of sexual orientation (Recommendations 98.37, 98.38, 98.39, 98.41, 98.42 and 98.43)

64. As the Government has already affirmed to the international community, the Dominican Republic is a multi-ethnic and multicultural State and, accordingly, has a duty to work to strengthen the protection and safeguards that are needed by all victims of discrimination.

65. Since 2014, as part of the Dominican Republic Fashion Week, the Human Rights Unit of the Attorney General's Office has been organizing a fashion show to encourage and raise awareness of non-discrimination.

66. The Ministry of Education has adopted strategies for the design and production of educational materials that ensure the absence of gender stereotypes and that the materials promote equality, non-discrimination and human rights.

67. The governments of the Dominican Republic and other Central American countries have signed an eight-year agreement (for the period 2013–2021) in which they pledge to promote education without discrimination and with equal opportunities as a universal human right.

68. Article 19 of the guidelines promoting harmonious coexistence in the Dominican education system, which were issued in 2013, prohibits all acts of discrimination.

69. Article 3 of General Health Act No. 42-01 establishes the right to health of all Dominicans and of foreign nationals who have set up home in the country.

70. Likewise, in accordance with the principle of universal access established in Act No. 87-01, the National Social Security Council "shall protect all Dominicans and residents of the country without discrimination on grounds of health, sex or social, political or economic status".

71. Within the Ministry of Labour's Directorate for Equal Opportunities and Non-Discrimination, dedicated units focusing on gender equity, promoting diversity and raising awareness of disability have been established.

Preventing arbitrary detention

72. Since 2015, the Human Rights Unit of the Attorney General's Office has been running training courses addressing stigma, prejudice and discrimination under an initiative that has also involved the organization of training workshops for officers of the National Police and the Specialized Tourism Security Corps.

73. In connection with this initiative, various surveys have been conducted among sex workers, including transsexuals and homosexuals, in conjunction with the authorities and civil society organizations.

Protecting the rights of lesbian, gay, bisexual and transgender (LGBT) persons

74. Public policies for guaranteeing gender equality are set out in the National Development Strategy (Act No. 1–12 and its implementing regulations), the National Gender Equality Plan, the Multi-Year Public Sector Plan, which encompasses all government ministries and decentralized agencies, and the Strategic Plan of the Supreme Court of Justice.

75. A draft general act on equality and non-discrimination is currently under consideration. Its aims are to prevent and eliminate all forms of discrimination exercised against any person and to promote equal opportunities, equal treatment and a culture of tolerance and respect for diversity.

76. Guidelines for prosecutors have been issued to make them aware of and increase their sensitivity to the manner in which persons with disabilities, older persons and lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) persons should be treated.

G. Cultural integration (Recommendation 98.40)

77. The Ministry of Culture is the body with ultimate responsibility for coordinating the National Culture System of the Dominican Republic and for formulating and implementing cultural development policies, plans, programmes and projects.

78. To this end, the Ministry engages in various activities designed to strengthen the historical patrimony of the country's African heritage.

H. Human rights violations by the security forces and investigative bodies (Recommendations 98.44, 98.46, 98.47, 98.48, 98.49, 98.50, 98.51, 98.52 and 98.53)

79. Enforced disappearance is defined as a criminal offence in article 90 of the new draft of the Dominican Criminal Code.

80. The Inspector General's Office and the Internal Affairs Directorate are the oversight bodies of the National Police. They are responsible for ensuring strict compliance with the Constitution, laws and disciplinary regulations in accordance with articles 31 and 32 of Organic Act on the National Police No. 590-16. In 2016 and 2017, these bodies investigated a total of 585 cases of possible excessive use of force on the part of police officers and systematically pursued them to prosecution.

81. In cases in which officers of the National Police are alleged to have killed citizens in the legitimate exercise of their duties, the public prosecution service that is judicially competent authorizes the oversight bodies to carry out the corresponding investigation.

82. The established, institutional rule within the National Police is that all police officers receive instruction and training in international human rights norms through the Police Institute of Education. The following results have been achieved through this rule's application:

- 14,621 police officers have been trained in human rights; 6,688 officers have been trained in the legitimate use of force; 12,536 manuals on the use of force have been distributed; 12,536 community policing handbooks have been distributed; 2,783 booklets of policing guidelines have been distributed; and 854 police officers have taken part in the mobile teams and police modernization programme.

83. Monitoring committees have been established to ensure due implementation of the internal security plan, which provides for the application of security policies that benefit the public as a whole, in accordance with the constitutional framework. Implementation of the 911 National Emergency Attention and Security System and the adoption and promulgation of Act No. 590-16 have likewise brought advances in the modernization and reform of the National Police.

84. With support from the Spanish Agency for International Cooperation, the National Police has implemented a pilot citizen assistance and support programme, designed to ensure that citizens can file complaints or accusations at any police station independently and with easy access. In addition, the authorities have launched a mobile application, known as "Tu PoliciApp RD", through which members of the general public can report or provide information on crime-related incidents and unlawful activities.

85. In 2016 and 2017, the National Police rolled out a community policing project under which 748 community policing operations were conducted, paving the way for closer relationship between communities and police.

86. The Ministry of Defence of the Dominican Republic founded the first Military Institute of Human Rights in Latin America — now named the Graduate School of Human Rights and International Humanitarian Law — in August 2000. The School offers lectures, diploma courses and specialized training that serve to ensure compliance with the United Nations International Bill on Human Rights and all other treaties, conventions and resolutions to which the Dominican Republic is a party.

I. Civil registration (Recommendations 98.76 and 98.109)

87. To promote the timely registration of births, the Central Electoral Board has 165 registry offices as well as 67 civil status registration units in all public health centres across the country, the aim being to ensure that all children are registered before their mothers return home.

88. Regarding late birth registrations, on October 3, 2008, the Plenary of the Central Electoral Board issued decision No. 45/2008, on the late birth registration of persons over 60 years of age who hold or previously held identification cards, thereby instructing the National Directorate of Civil Status Registration to authorize the late registration of the persons in question. (See annex 1).

89. On November 18, 2011, the Plenary of the Central Electoral Board issued decision No. 75/2010, authorizing the registration of births by third parties acting in the capacity of declarants. (See annex 2).

90. Decision No. 08/2007, providing for the issuance of a minor's identity card to mothers under the age of 16 years old, enables girls to carry out the formalities necessary to obtain an identity card whilst they are pregnant, so that they are able to register their child without problem immediately after the birth. (See annex 3).

91. The Central Electoral Board is a party to the framework agreement for inter-agency cooperation in timely and late birth registration concluded with the Ministry of Health, the National Health Service, the General Directorate for Special Projects of the Office of the President and the United Nations Children's Fund.

92. Article 21 of the Constitution states that: "All Dominicans who have attained 18 years of age and all those who are or have been married, even if they have not attained that age, shall enjoy full citizenship".

93. Article 1 of Act No. 169-14, on naturalization, establishes a special regime for persons born in the Dominican Republic who are not duly registered in the National Civil Registry.

94. For the registration of children born in the Dominican Republic to foreign parents in an irregular situation who are not registered in the Civil Registry, Act No. 169-14 provides as detailed in the next paragraph.

95. To facilitate the registration of foreign nationals, an application for registration should be submitted to the Ministry of the Interior and the National Police within no more than ninety (90) days of the entry into force of the Act's implementing regulations.

J. Prosecution of violations against human rights defenders (Recommendation 98.77)

96. In 2018, the Dominican Republic published the ruling of the Court of Appeal of San Pedro de Macoris, dated 10 April, which sentenced the murderers of journalist José Agustín Silvestre to 20 years' imprisonment.

97. In addition, the Attorney General's Office has been monitoring the threats made against certain Dominican journalists after they appeared in a publicly accessible list of

"Traitors of the Homeland" and "Anti-Patriots" and reported having received death threats for not agreeing with Constitutional Court judgment No. C168-13.

K. Freedom of expression (Recommendation 98.78)

98. Article 49 of the Constitution of the Dominican Republic states that: "All persons have the right to freely express their thoughts, ideas and opinions, by any means, without prior censorship".

L. Workers' rights (Recommendation 98.79)

99. The Ministry of Labour has conducted various workshops and awareness-raising campaigns for both labour inspectors and workers, so as to increase their knowledge of labour rights. All these workshops are detailed in the annexes to this report. (See annexes 4, 5, 6, 7 and 8.)

M. Poverty elimination and social development (Recommendations 98.80, 98.81, 98.82, 98.83, 98.84, 98.85, 98.86 and 98.90)

100. The main tool in the campaign to eliminate poverty is the "Progressing with Solidarity" programme, which protects the poorest and neediest families in the Dominican Republic and bolsters their human and social capital through conditional cash transfers, the aim being to ensure that such families can meet their minimum consumption needs and are guaranteed access to basic health and education services.

Results of the programme:

- 828,822 households in extreme and moderate poverty receive the "Eating comes first" conditional cash transfer for the purchase of basic foodstuffs
- 957,061 households receive the "Bono Gas" gas subsidy, intended to serve as a disincentive to using coal and firewood and thus to protect the environment
- 448,363 households receive the "Bono Luz" electricity subsidy, which helps them to pay for the supply of electricity

101. Direct intervention strategies such as the distribution of micronutrients to 327,020 children aged under 5 years old, pregnant women and older adults have also been implemented, with the following results:

- Chronic malnutrition has been reduced by more than half, from 12 percent to 5 per cent, in children aged between 6 months and 5 years old in households participating in the "Progressing with Solidarity" programme in the National District and the provinces of Santo Domingo, San Juan, Elías Piña and Azua, according to a study conducted by the Office of the Vice President and the World Food Programme.
- By means of its nutrition component, the "Progressing with Solidarity" programme has reduced acute malnutrition from 10 per cent to 1.7 per cent and reduced global malnutrition to minimum, near-eradication levels, trimming the measure from 3.4 to 0.7 per cent. Another important achievement is the reduction in overweight and obesity over the past three years, from 14 per cent to 3 per cent.
- Studies carried out by the World Food Programme indicate that the nutrition component of the "Progressing with Solidarity" programme has reduced anaemia in the beneficiary population by 50 per cent.

102. Shelter for indigent older persons. The Government has been endeavouring to put an end to situations in which older persons are left roaming the country's streets, providing them with a roof over their head that meets their basic needs. The Government has also been endeavouring to resolve the situation of older persons who have been abandoned in hospitals or in their homes, focusing on locating members of their family in order to re-establish responsibility and guarantee their return to the family nucleus.

103. The Programme for the Protection of Older Persons in Extreme Poverty ensures social equity and human dignity for older adults living in extreme poverty. Approximately 83,333 older persons have benefited in the form of cash transfers.

Access to health care, education and housing for all persons on an equal footing

104. Strategies such as checking that beneficiaries of the "Progressing with Solidarity" programme assume their share of the responsibility for health checks and the school attendance of family members, as a prerequisite for receiving the "Eating comes first" cash transfer and the school attendance incentive, have yielded the results described below.

105. The school dropout rate at the basic education level was 1.8 per cent higher among non-beneficiaries than among members of families receiving the school attendance incentive.

106. At the intermediate level, the national dropout rate was 5.7 per cent whereas only 1.9 per cent of "Progressing with Solidarity" beneficiaries dropped out of school. Overall, the dropout rate was 3.8 per cent higher among students who did not benefit from the "Progressing with Solidarity" programme than among those who did.

107. The conditions set under the "Progressing with Solidarity" programme have helped to ensure compliance with the care protocol issued by the Ministry of Health for children under the age of five years old, pregnant girls and girls who have recently given birth. Since 2013, "Progressing with Solidarity" staff have been carrying out checks to verify that health checks have been completed, thereby directly helping to build the human capital that will enable families to break out of the intergenerational circle of poverty.

Social plans to reduce poverty and social exclusion

108. To reduce poverty and social exclusion, the "Progressing with Solidarity" programme adopted the "Training for Progress" strategy, through which the following results have been achieved:

- 44 "Progressing with Solidarity" community training and production centres have been established.
- 300 local training units have been established.
- Of the 543,320 persons who have completed short-cycle training courses, run in partnership with the National Institute for Technical and Vocational Training, 37.7 per cent have found a job; 38 per cent are engaged in some form of income-generating activity; 45.3 per cent have started a business; 7.2 per cent have improved the business they had already started; and 9 per cent have secured a loan.

109. In addition, 314,195 members of "Progressing with Solidarity" families are producing food from agricultural activities in order to enhance their food security and 461,854 adolescents and young people have received guidance in health, sexual and reproductive issues and the prevention of pregnancy, sexually transmitted diseases and HIV/AIDS through the "I've decided to wait" and the "Babies, think it through" programmes.

Measures to ensure the food security and well-being of the population

110. The Strategic Review of Food Security in the Dominican Republic was developed and disseminated as part of efforts to achieve Sustainable Development Goal 2 (zero hunger) and in order to strengthen, in partnership with other institutions, activities that yield results such as the following:

- In "Progressing with Solidarity" beneficiary households, moderate and severe food insecurity are 2.68 per cent and 0.56 per cent lower, respectively, than in non-beneficiary households.
- Overweight and obesity among pregnant women who are "Progressing with Solidarity" beneficiaries are 4 per cent lower than among those who are not programme participants.

111. According to the survey, which included pregnant women, nursing mothers, children under five years old and persons over 65 years old, programme participants have a more varied diet, are more likely to be in the normal weight range and are in a better work situation. The survey indicates that the positive impact of the "Progressing with Solidarity" programme is also reflected in housing, in that families in the "Progressing with Solidarity" beneficiary group are 12.3 per cent more likely to have their own homes than families that are not taking part in the programme.

112. The results of the survey to compare the nutritional status and food security of beneficiaries and non-beneficiaries of the "Progressing with Solidarity" programme, which was conducted among a sample of 1,268 households divided into two segments, show that older persons participating in the programme are 10 per cent less likely to be underweight than those not taking part in this government initiative, among whom 44 per cent are underweight.

113. In the group of pregnant women, those who belong to the "Progressing with Solidarity" programme are 2.1 per cent more likely to be in the optimal weight range than the non-beneficiaries surveyed, 56.8 per cent of whom were not in the normal weight range. Calorie intake is higher in all groups belonging to the "Progressing with Solidarity" programme, and moderate food insecurity is 2.7 percent lower among beneficiary families than the 31 per cent figure recorded in the non-beneficiary group.

Access to housing

114. To guarantee access to housing and the right to property, in the period 2013–2017 the Government made available a total of 24,756 homes (14,483 new builds in 99 new housing projects and 10,273 renovated homes), benefiting 103,975 people and generating 61,890 jobs. Furthermore, 87,437 homes were designated as low-cost housing, benefiting 349,748 people throughout the country, and a number of new housing development projects, such as the Cuidad Juan Bosch and Cuidad Domingo Savio projects, are currently under way. The Government also offers subsidies, tax exemptions and first-home buyer bond schemes, while at the same time pressing ahead with its State land titling programme. To date, 30,008 properties, housing and land titles have been issued.

N. Right to health (recommendations 98.91, 98.92, 98.93, 98.94, 98.95, 98.96, 98.97, 98.98 and 98.99)

115. The Government is currently working on organizing and equipping 16 centres, or nodes, for the national network of blood facilities.

116. It is also in the process of renovating 26 hospitals nationwide.

117. Ninety-seven per cent of older persons living in extreme poverty are now covered by the subsidized health scheme available through the national health insurance system.

118. A network of caregivers has been established to provide help and support, in their homes, for older persons in a situation of dependency. More than 5,123 persons working with non-governmental organizations accredited by the National Council for Older Persons have received caregiver training.

119. The 2012–2016 Strategic National Plan for the Reduction of Maternal Mortality was implemented in all branches and at all levels of the National Health Service. The main aims were to improve the coverage and quality of sexual and reproductive health services and to enhance the information system and the epidemiological surveillance of maternal and infant mortality and serious maternal morbidity.

120. The 33 per cent reduction in infant mortality is attributable to increased vaccination. In recent years, vaccination against rotavirus (2012), pneumococcus (2013) and cervical cancer (2017) has been added to the Expanded Immunization Programme.

121. In addition, central storage capacity for vaccines has risen substantially, after two additional cold rooms were fitted out and 500 refrigerators, 1,000 100-pound tanks for propane gas bottles, 50 freezers for freezing batteries for the transportation of vaccines, 960

desktop computers, 50 thermal boxes and 2,000 thermos flasks were supplied to the network of vaccination centres and posts.

122. The country has successfully participated in six consecutive Annual Vaccination Weeks in the Americas over the past six years.

123. Investment has been increased four-fold, from RD$ 250 million to RD$ 1,000 million, and inter-programme and inter-agency partnerships have been established.

124. An updated version of the Action Plan for the Reduction of Maternal and Infant Mortality covering the period 2018–2020 has recently been drafted, setting out the actions to be taken to prevent matern...l and neonatal mortality throughout the services network, as follows:

- 137 centres forming part of the State network will provide the full range of essential and emergency obstetric and neonatal services.
- 57 health centres with the highest rates of maternal and neonatal mortality have been selected to begin offering comprehensive emergency obstetric and neonatal care in essential service centres.
- The first monitoring and evaluation cycle for maternal and neonatal care-related indicators was carried out during July and August 2018, through coordination between provincial health directorates and the various health sector agencies.

125. The National Health Service's response to teenage pregnancy has included measures of a preventative nature with a focus on information, education and communication. These measures have included the design, dissemination and implementation of a number of nationwide awareness-raising campaigns aimed at preventing teenage pregnancies, with the following names:

- "You are not old enough for this", which achieved nationwide coverage and involved all government and civil society institutions active in the field
- "Zero tolerance to pregnancy in the under-15s", in which teenagers themselves were active participants and received training as outreach workers
- "Babies, think it through" and "I've decided to wait", coordinated by the "Progressing with Solidarity" programme

126. Act No. 295-11 establishes 26 September as annual teenage pregnancy prevention day and teenage pregnancy prevention week, which involves major nationwide campaigns on the subject, has become a regular fixture on the National Health Service's calendar.

127. Five forms of contraception are now available through hospitals throughout the country and are distributed on a timely basis. In the period 2015–2018, investment in the procurement of contraceptives was more than RD$ 280 million.

128. Contraceptive devices and drugs are also available in 200 pharmacies under the Essential Medicines/Logistical Support Programme.

129. There are 52 inter-agency committees monitoring compliance with the policies set out in the First National Plan for the Prevention of Teenage Pregnancy and work is under way to develop a second plan that will include a component addressing the needs of teenagers who are already mothers and those of their children.

130. The comprehensive health-care model in place is focused on providing timely, ongoing care for persons living with HIV and/or AIDS.

131. In the case of HIV, the care model encompasses a set of measures necessary for awareness-raising, prevention and early diagnosis of HIV, the provision of assistance and the physical and psychological rehabilitation of infected persons that facilitates their full integration within society.

132. There are currently 73 comprehensive care centres nationwide, affording easy access to health-care services.

133. The National Development Strategy sets out the general government planning framework for the next two decades, including the nation's response to HIV and AIDS.

134. The response to HIV/AIDS falls under objective No. 2 of the National Development Strategy, which is to guarantee: "A society based on equal rights and opportunities within which the entire population is guaranteed access to decent housing and to quality education, health care and basic services that contribute to the progressive reduction of poverty and social and regional inequalities".

135. The National Strategic Plan for the period 2015–2018 brings together in one document the vision, strategies and principal outcomes of the national response to HIV/AIDS, guaranteeing universal access to educational, preventive and care services that in turn ensures efficient but sensitive monitoring of sexually transmitted infections including HIV and AIDS.

O. Right to education (recommendations 98.100, 98.101, 98.102, 98.103, 98.104, 98.105 and 98.106)

136. With regard to the right to education and its vitally important role, a number of steps have been taken to guarantee access to State-sector educational institutions for all children and teenagers. This is evident in the decision to prolong the measure introduced by Ministry of Education Circular No. 18 of July 27, 2011, thereby renewing the instruction to "all directors of State-sector educational institutions in the country to proceed with the enrolment of all children and teenagers whether or not they are duly registered in the country".

137. Another major advance achieved in 2017 was the registration of 2,420 children who had not previously had identity documents and the issuance of birth certificates for 1,668 of them, in continuation of the institutional agreement concluded between the Ministry of Education and the General Directorate of Migration.

138. The National Plan for School Buildings and the Construction of New Schools made it possible to offer an additional 18,179 school places and to bring into operation 1,137 new schools, 13,523 new classrooms and 2,888 refurbished classrooms. In addition, a total of 54 childcare centres were opened, of which 52 are fully operational.

139. As of June 2018, the extended schoolday programme was benefiting a total of 1,162,849 students, representing 62 per cent of all pupils enrolled at the preschool, primary and secondary levels.

140. The lower secondary education cycle, which replaced the seventh and eighth grades of basic education and the first grade of the former secondary education cycle, was introduced in the 2017/18 academic year. To date, 69 per cent of schools have adjusted their educational cycles to the new curricular structure.

141. A total of 175,812 children aged under 4 years old have joined the early childhood care programme called "Quisqueya begins with you". Between September 2016 and June 2018, 266 new centres came into operation, incorporating 105 integrated early childhood care centres and 232 child and family care centres.

142. As of the end of the first half of 2018, a total of 588,484 persons had learned to read and write through the National Literacy Plan entitled "Quisqueya learns with you". In addition, 126,615 learning hubs have been certified as meeting the requirements set under the Plan since its launch its 2013.

143. In the field of technical and vocational training and arts education, the most significant achievements of 2017 included the establishment of the technical committee and operations unit required to implement the National Qualifications Framework, in line with Decree No. 173-16, as a result of which a total of 48 State-sector educational institutions had been converted into polytechnics as of June 2018, and the increase in the availability of the arts module after six new centres began offering this option.

144. The aim of the Digital Literacy Information Programme for Older Adults is to ensure, by means of a continuing education programme, that older persons who have learnt to read and write through the "Quisqueya learns with you" programme are digitally literate.

To date 110 of the 1,600 older adults who have learned to read and write have succeeded in entering the world of work.

Actions to strengthen the quality of education

145. Significant improvements were made to the curriculum and student learning assessment programmes in 2017, as detailed in the following paragraphs.

146. The new vocational and technical education curriculum was approved by the National Education Council, 75 vocational and technical qualifications were awarded, 687 training modules, 52 technical baccalaureate courses and 23 basic technical courses were run, and the launch of the new curriculum, including the new arts module and the first secondary level cycle, was approved by the National Education Council.

147. With regard to student learning assessments, a national diagnostic evaluation of the third grade was carried out in all schools; a pilot diagnostic evaluation of the sixth grade was conducted; a pilot of the Programme for International Student Assessment was run in 2018; authorizations were granted to 99 students; and national tests were sat by students in adult primary education, general secondary education, vocational and technical training and the arts, with pass rates of 93 per cent, 82 per cent, 94 per cent and 93 per cent respectively.

148. A new standard for ensuring quality teacher training in the Dominican Republic has been approved (Standard No. 09-15). To date, 115 courses have been approved.

149. Teachers' performance assessments were conducted in 2017, with salary incentives being awarded, based on results obtained, starting from a baseline of 10 per cent of the salary of primary and secondary school teachers.

150. Teachers' salaries have increased in recent years. Whereas a primary school teacher earned RD$ 26,259 in 2012, by 2017 the figure had risen to RD$ 49,453. Secondary school teachers' salaries rose from RD$ 29,390 to RD$ 57,992 over the same period and adult education teachers' salaries increased from RD$ 27,512 to RD$ 50,380.

151. A competition was held to generate shortlists for the selection and appointment of directors of the 18 educational regions and 122 educational districts throughout the country. A total of 1,369 teachers took part.

152. Twenty teachers were admitted to the "Highly Qualified Teachers" programme run by the Salomé Ureña Higher Teacher Training Institute. The subjects covered are Mathematics, Philosophy, Chemistry, Biology, Psychology, Linguistics, Literature, Physical Education, Sports Sciences and Neuroscience.

153. Reform, institutional modernization and social participation facilitated progress in the process of approving the operating handbooks for the educational regions and districts that are due to be introduced before the end of 2018.

154. Under its Digital Republic Programme for the period 2016–2020, the Government plans to deliver electronic devices to 950,000 students and 79,500 teachers.

155. General guidelines for recognizing diversity have been drawn up, as well as guidelines for making tailored curricular adjustments within an educational system designed to foster inclusion. The aim is to encourage adaptation of educational responses in order to ensure access, learning and the continuing attendance of students with special educational support needs.

156. Special education is overseen by the Ministry of Education's Special Education Directorate, which monitors compliance with the educational policies designed to give effect to the right to education, equal opportunities, participation and non-discrimination of persons with specific educational support needs.

157. With regard to human rights education at the preschool, primary and secondary levels, an agreement has been concluded with the Dominican Constitutional Court pursuant to which: "The Constitutional Court undertakes to cooperate with the Ministry of Education in training teachers in constitutional matters, while the Ministry of Education undertakes to train citizens to be aware of their rights and duties".

158. In schools which run the extended schoolday programme, optional courses and workshops on human rights, road safety and the environment, among other subjects, are being offered.

159. The quality school meals programme was introduced in 2017 to help schoolchildren living in vulnerable situations. The programme provides approximately 70 per cent of daily nutritional requirements and benefited 1,812,907 students, teachers and school administrative employees in 2017. From January to June 2018, the programme benefited 1,813,096 students, teachers and administrative employees.

160. For 2018 the school meals programme was given a budget of RD$ 19,125,644,517.00. As of September, RD$ 13,453,507,858.71 had been used. For 2019, the programme will have a budget of RD$ 21,093,324,424.16.

161. During the school holidays, the programme provided 5,178,642.00 meals to 123,301.00 children, for an outlay of RD$ 64,991,957.10.

162. A comprehensive campaign against bullying in schools has been under way since June 2018 as part of an initiative proposed by school student Carlos Emmanuel Cruz in a request made during the National Student Forum for a Culture of Peace.

P. Migration (Recommendations 98.107, 98.108, 98.120, 98.121, 98.123 and 98.124)

163. The General Directorate of Migration has drawn up operational protocols to support the legal regulations and has trained its staff using these protocols in a cross-cutting manner. Its main policies are detailed below.

164. Strategic detention, taking into consideration the reasons for which migrants should be detained and helping them with document verification tools, is used as an effective alternative to simply automatically detaining foreign nationals for migratory reasons.

165. Foreign nationals whose status is presumed to be irregular are detained as a last resort, when the other avenues of recourse described in migration protocols and regulations have proved insufficient. The migrants concerned are sent to reception centres for a second status review in order to confirm whether they are in an irregular situation or should be released. In 2017, 89,184 migrants presumed to be in an irregular situation were detained, but 43,971 of them were released following the second status review.

166. Reception centres for detained migrants subject to deportation operate in accordance with international human rights standards. All pre-deportation requirements are completed as part of the detention, processing and expulsion proceedings and due process is guaranteed. The deportation and detention order sets out the reasons for issue and the means of recourse open to foreign nationals, including their right to communicate with relatives, to have access to a translator and lawyer, to obtain information from embassies and consulates and to view their information file, inter alia, thereby preventing arbitrary and mass deportations.

167. The detention or deportation of vulnerable migrants — namely, unaccompanied children and teenagers, pregnant or breastfeeding women, older persons, persons suffering from an illness requiring special care, persons enrolled in the National Plan for the Regularization of Foreign Nationals and persons who have refugee status or are seeking asylum — is prohibited.

168. Temporary documents are issued as an alternative legal means of protection for vulnerable migrants. Such documents grant provisional right to remain, protect against unjustified deportation and include special residence permits for persons enrolled under the National Plan for the Regularization of Foreign Nationals, short-term permits for victims of trafficking, migrant smuggling and other offences, and certificates attesting to refugee status.

169. The voluntary return policy open to migrants from Haiti as an alternative to deportation, in accordance with Decree No. 27-13 on the Plan for the Regularization of

Foreign Nationals, ensures that foreign nationals who did not sign up for the Regularization Plan may return to their country of origin in an orderly manner and in dignified conditions. There were 2,626 voluntary returns in 2017 and 1,020 to date in 2018.

170. Under current refugee policy, after being recognized as having refugee status, migrants who are refugees become temporary residents (category RT6) in accordance with article 35, paragraph 6, of General Migration Act No. 285-04, thereby acquiring the same rights and duties as other temporary residents. At present there are four foreign nationals in the Dominican Republic who have been recognized as refugees — two Syrians, one Iraqi and one Cuban.

Policies for the regularization of foreign nationals in application of the law and in special cases

171. The special "hand-in-hand" programme implemented by the General Directorate of Migration helps to ensure the regularization of temporary workers who are employed in the formal labour market on an irregular basis.

172. The following special concessions facilitate the regularization of Haitian students: the provision of documents; waiving of administrative fees due for time already in the country; authorization for re-entry, granted by the General Directorate of Migration; and free visas approved by the Ministry of Foreign Affairs with a view to regularizing the immigration status of all students of Haitian nationality.

173. In order to reduce the vulnerability to crime and human rights violations of migrants who find themselves in an irregular situation in the country, the Government of the Dominican Republic has regularized the situation of the persons detailed below.

174. Haitian nationals who worked as sugar cane cutters between the 1930s and 1990s under agreements concluded between the Government of the Dominican Republic and the Government of Haiti through the intermediary of the State Sugar Council, but have now retired, have been granted permanent residence.

175. The National Plan for the Regularization of Foreign Nationals and the Special Naturalization of Migrants is intended to regularize migrants whose status in the country is irregular by means of a special process established in Decree No. 327-13 d/f 29/11/2013. The process is carried out free of charge by the Ministry of the Interior and the National Police and in just one year the authorities have managed to regularize 260,241 people of 116 nationalities, of whom 97.8 per cent were Haitian nationals.

Unaccompanied migrant children and teenagers

176. In respect of unaccompanied children and teenagers, the Dominican Republic's migration regulations provide that these vulnerable migrants must be protected and that the best interests of the child and their right to remain with their family group and/or under the protection of their parents must be respected. Unaccompanied minors are placed in the care of the National Council for Children and Adolescents, which is responsible for family reunification and minors' voluntary return to their country of origin. A total of 101 unaccompanied minors were placed in the care of the National Council for Children and Adolescents in 2016, 625 in 2017 and 146 in the first half of 2018.

177. The General Directorate of Migration prohibits the detention and deportation of minors who are not accompanied by their parents, even in cases where there is doubt as to the biological age of the undocumented person who is presumed to be a minor.

178. With regard to the special naturalization process, the Dominican State issues official identity documents to all persons of foreign descent who have applied and have provided proof that they were born in the Dominican Republic, regardless of whether or not they were registered before 2007, although their date of registration determines the beneficiary group to which they belong. Beneficiaries belonging to group A, which is managed by the Central Electoral Board, have been issued with birth certificates and identity cards, while beneficiaries belonging to group B, which consists of unregistered persons managed by the Ministry of Interior and the National Police, in accordance with Act No. 169-14 on special

naturalization, have been granted permanent residence, with the option of applying for naturalization through the ordinary process two years after obtaining regular migrant status.

Cooperation with Haitian authorities on migration issues

179. The Government's political will to work with the Haitian migrant population is evidenced in the following actions:

- Implementation of the "hand-in-hand" programme by the General Directorate of Migration, which helps employers regularize the situation of temporary foreign workers
- The issue of operating protocols drafted by the Office of the President of the Republic, in coordination with the General Directorate of Migration and the Haitian Embassy, to ensure oversight of voluntary and mandatory deportations of illegal migrants carried out by reception centres
- The development, through Dominican-Haitian dialogue, of bilateral mechanisms that allow for the coordination of inter-agency actions, as well as coordination between the two countries' embassies and consulates
- Meeting with the authorities of the General Directorates of Migration of the Dominican Republic and Haiti within the framework of the Sixth Session of the Bilateral Dominican-Haitian Commission, in November 2014, to discuss mutual cooperation issues

180. The authorities of the General Directorate of Migration of the two countries, hosted under the auspices of the Dominican-Haitian Bilateral Joint Commission and the Sub-Commission on Migration, Border and Labour Affairs, have met to follow up on the agreements reached during the Sixth Session of the Bilateral Joint Commission in November 2014, with the following results:

- Issue of decision No. DGM-03-2015, which exempts Haitian students who regularize their migratory situation from the payment of taxes for lengthy stays in the country, processing fees and re-entry fees
- Organization of information sessions on how to obtain a visa, including details of the free visa system available for students and temporary workers, by Dominican consulates. Consult the link: www.consuladord.com
- Implementation of the Plan for the Regularization of Immigrants in the Dominican Republic, which is coordinated at the inter-agency level and with the diplomatic authorities of the Government of Haiti in Santo Domingo.

Dialogue with Haiti

181. The international community has had an important role in the dialogue with Haiti. In particular, over the past three and a half years the European Union has helped to build an agenda of urgent, intensive dialogue between the Dominican Republic and Haiti. The private sector, meanwhile, has provided support for strengthening the Executive Secretariat of the Bilateral Dominican-Haitian Commission and the Commission itself, specifically by organizing meetings and border missions, carrying out research into specific issues and providing technical support in tandem with the Government.

182. The country has received technical assistance from the Inter-American Development Bank to strengthen the institutional structure of the dialogue, and specifically the Bilateral Dominican-Haitian Commission, and to come up with formulas that allow for joint investment in development.

III. Final conclusions

183. Conscious of the urgent need to eliminate still persistent social inequalities, the Dominican Republic is committed to continue planning and implementing legislative and institutional initiatives and affirmative actions that benefit the following sectors of the population and/or the address the following areas: children and adolescents, women,

persons with disabilities, migrants, the justice system, older persons, workers, poverty elimination, health care, intercultural integration, education, social and human development, trafficking in persons and migrant smuggling.

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Compilation on the Dominican Republic

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. Several human rights bodies and mechanisms invited the Dominican Republic to become a party to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[3] the International Convention for the Protection of All Persons from Enforced Disappearance,[4] the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[5] the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights,[6] the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,[7] the 1954 Convention relating to the Status of Statelessness and the 1961 Convention on the Reduction of Statelessness.[8]

3. The United Nations country team noted that the Dominican Republic had not extended a standing invitation to the special procedures of the Human Rights Committee.[9] The Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, recommended that the Dominican Republic should extend an open invitation to special procedures.[10]

4. The Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child expressed their concern at Constitutional Court ruling No. TC/0256/14 (2014) declaring unconstitutional the instrument accepting the competence of the Inter-American Court of Human Rights.[11] The Human Rights Committee supported the State's expressed intention to accept such competence.[12]

5. The United Nations country team welcomed the technical assistance provided by a senior adviser from the Office of the United Nations High Commissioner for Human Rights between August 2014 and June 2018. Besides providing advice within the United Nations system, the adviser had provided technical support to the Ministry of Foreign Affairs for the drafting of the National Human Rights Plan and had helped the Ombudsman's Office to strengthen its internal capacity in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).[13]

III. National human rights framework[14]

6. The Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights welcomed the National Development Strategy (2010–2030).[15] The Committee on the Rights of Persons with Disabilities recommended that the Dominican Republic include action lines on persons with disabilities in the Strategy,[16] and that the perspective of persons with disabilities be mainstreamed in the implementation of the Sustainable Development Goals.[17] The Committee on Economic, Social and Cultural Rights urged the State party to establish independent oversight mechanisms to track progress towards the Goals.[18]

7. In 2017, the Human Rights Committee expressed its concern at the delay in the adoption of the National Human Rights Plan.[19] The United Nations country team urged the Dominican Republic to approve the National Human Rights Plan and to begin its implementation as soon as possible.[20]

8. The Committee on the Rights of the Child and the Human Rights Committee welcomed the appointment of the Ombudsman in 2013.[21] The Committee on Economic, Social and Cultural Rights observed that the Ombudsman's Office did not have the capacity or independence to carry out its human rights mandate,[22] while the Human Rights Committee was concerned that the Office was not in full compliance with the Paris Principles.[23] The Special Rapporteur on the sale of children, the United Nations country team and the Human Rights Committee recommended that the Dominican Republic enable the Office to carry out its mandate effectively, independently and in full compliance with the Paris Principles.[24] The Committee on Economic, Social and Cultural Rights encouraged the State party to ensure that the Ombudsman applied for accreditation from the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions.[25] The United Nations country team made a similar recommendation.[26]

9. The United Nations country team reported that the Ministry of Foreign Affairs had launched a system for monitoring the fulfilment of recommendations for compiling information and tracking the implementation of recommendations made by the various human rights mechanisms.[27] The Human Rights Committee welcomed the establishment of the system for tracking the implementation of United Nations recommendations.[28]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination[29]

10. The Human Rights Committee was concerned at the lack of a comprehensive legal framework against discrimination.[30] The Committee on Economic, Social and Cultural Rights recommended that the Dominican Republic adopt the bill on equality and non-discrimination, and that it include all the prohibited grounds of discrimination, define direct and indirect discrimination, prohibit discrimination in both the public and the private

spheres and incorporate provisions on redress.[31] The United Nations country team made a similar recommendation.[32]

11. The Human Rights Committee and the Committee on Economic, Social and Cultural Rights were concerned at reported systematic and continued racial discrimination against Haitians and persons of Haitian descent.[33] The Committee on Economic, Social and Cultural Rights urged the Dominican Republic to adopt all necessary legislative and administrative measures to combat all forms of discrimination against such persons.[34]

12. The Human Rights Committee was concerned at reports of discrimination, violence and assault, including by the police, against lesbian, gay, bisexual, transgender and intersex persons, and in particular at the high rate of violence against transgender persons. It recommended that the Dominican Republic adopt laws to prohibit discrimination and hate crimes on grounds of sexual orientation or gender identity.[35] The United Nations country team recommended that the Dominican Republic promote and protect the human rights of lesbian, gay, bisexual, transgender and intersex persons by advancing the affirmative action measures, public policies and legislation necessary to combat structural discrimination against persons belonging to this group.[36]

B. Civil and political rights

1. Right to life, liberty and security of person[37]

13. The Human Rights Committee welcomed the adoption of the Organic Act on the National Police No. 590-16 (2016) and the regulations on the use of force.[38] The United Nations country team indicated that the Organic Act on the National Police took a more preventive approach and addressed issues related to use of force and strengthening internal and external oversight mechanisms.[39]

14. The Human Rights Committee was concerned at reports of police brutality and the excessive use of force by law enforcement personnel, in particular by the national police, and at reports of the large number of extrajudicial executions.[40] The United Nations country team reported that use of force and police abuse had been the subject of ongoing concern and urged the national police authorities to review and enhance training concerning the use of force and use of firearms.[41]

15. The Human Rights Committee was concerned about reports of persistently high levels of prison overcrowding and inadequate living conditions, and the insufficient use of alternatives to incarceration. It recommended that the Dominican Republic improve detention conditions and reduce overcrowding by modernizing the prison system, promoting alternatives to deprivation of liberty and using pretrial detention only in exceptional cases.[42] The Committee on Economic, Social and Cultural Rights recommended that the State party ensure adequate living conditions in prisons.[43]

16. The Committee on the Rights of the Child recommended that the Dominican Republic prohibit the use of isolation cells and other cruel, inhuman or degrading punishment and treatment, prosecute alleged perpetrators and punish those convicted, and designate a supervisory body to monitor detention centres.[44]

2. Administration of justice, including impunity, and the rule of law[45]

17. The Human Rights Committee was concerned about the lack of effective guarantees of judicial independence and the fact that the composition of the National Council of the Judiciary did not guarantee that the selection process would ensure the independence, ability and integrity of judges.[46]

18. The Committee on the Elimination of Discrimination against Women noted the efforts made by the State party to strengthen the capacities of members of the judiciary in adopting a gender perspective when applying the law in cases involving violence against women, sexual violence and femicide, such as the project to strengthen the implementation of a policy on gender within the judiciary (2015–2019).[47] It recommended that the Dominican Republic adopt the law on access to justice for victims of domestic violence.[48]

19. The Human Rights Committee was concerned about reported corruption at all levels of government and the surrounding impunity.[49] According to the Committee on Economic, Social and Cultural Rights, the efforts made to prevent corruption were not effective enough.[50] Several Committees recommended that the Dominican Republic combat and eradicate corruption,[51] investigate all cases of corruption and punish those responsible,[52] address the underlying causes of corruption and ensure transparency in public administration.[53]

3. Fundamental freedoms and the right to participate in public and political life[54]

20. The Human Rights Committee was concerned at violence and intimidation against human rights defenders and journalists.[55] The Committee on the Rights of the Child was concerned about reports of hostility and harassment faced by human rights defenders advocating for the rights of Haitian migrants and Dominicans of Haitian descent or denouncing child exploitation and trafficking.[56] The International Labour Organization (ILO) Committee of Experts on the Application of Conventions and Recommendations noted the emerging cases of acts of violence and threats against trade union leaders.[57] The Human Rights Committee recommended that the Dominican Republic effectively investigate incidents of violence and intimidation against human rights defenders and journalists, and punish perpetrators.[58] The Committee on Economic, Social and Cultural Rights recommended that the Dominican Republic raise awareness of the importance of the work carried out by human rights defenders.[59]

21. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that the Dominican Republic should decriminalize defamation and subsequently incorporate it into Civil Code, in accordance with international standards.[60]

4. Prohibition of all forms of slavery[61]

22. The Human Rights Committee was concerned that trafficking in persons, sexual abuse and sexual exploitation persisted, and involved primarily women, children and persons of Haitian origin.[62] The Committee on the Rights of the Child referred to the increase in the number of Haitian children trafficked for forced labour.[63]

23. The Special Rapporteur on the sale of children noted that unaccompanied minors arriving from Haiti were particularly vulnerable to multiple forms of exploitation and that many of these children were victims of smuggling and trafficking by mafia gangs that moved them across the border.[64] She therefore recommended that the Dominican Republic step up investigations at the border with Haiti with a view to dismantling criminal structures engaged in the smuggling, trafficking and sexual exploitation of children, including the children of Haitian nationals living in the Dominican Republic.[65]

24. The Human Rights Committee was concerned at reports of labour exploitation and forced labour, particularly those concerning workers of Haitian origin, especially in the sugar industry. It recommended that the Dominican Republic prevent forced labour, punish those responsible and ensure that labour law was enforced through effective inspections and the imposition of penalties.[66] The ILO Committee of Experts noted that the Dominican Republic was a source, transit and destination country for children who were trafficked for the purpose of commercial sexual exploitation and forced labour.[67]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[68]

25. The Committee on Economic, Social and Cultural Rights was concerned at the high rates of unemployment and underemployment and the large number of workers employed in the informal economy.[69] The Committee on the Rights of Persons with Disabilities found that the number of persons with disabilities in formal employment was insufficient,[70] and the Human Rights Committee noted the low employment rate of women with disabilities.[71] The Committee on Economic, Social and Cultural Rights recommended that the Dominican

Republic design a comprehensive employment policy targeting primarily young people, women and persons with disabilities.[72]

26. The ILO Committee of Experts observed that there were still marked differences in the gender wage gap in various regions of the country, in some cases reaching 25 per cent.[73]

27. The ILO Committee of Experts referred to cases of discrimination against Haitians, Dominicans of Haitian origin and dark-skinned Dominicans in all aspects of employment and occupation.[74]

28. The Committee on Economic, Social and Cultural Rights noted the substandard working conditions of women in certain sectors, such as free trade zones and the agricultural and domestic service sectors.[75] It recommended that the State party guarantee, in both law and in practice, equal pay for work of equal value for men and women.[76]

29. The Committee was concerned that the rights to collective bargaining and to strike were limited by excessive legal requirements.[77] It urged the State party to bring its legislation on trade union rights into line with the International Covenant on Economic, Social and Cultural Rights and the ILO Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) and the Right to Organize and Collective Bargaining Convention, 1949 (No. 98).[78]

30. The Committee on the Elimination of the Discrimination against Women noted the amendments made by the State party to the Labour Code abolishing compulsory pregnancy testing and HIV/AIDS testing as a condition of employment, and programmes to prevent related forms of discrimination.[79]

2. Right to social security[80]

31. The Committee on Economic, Social and Cultural Rights urged the State party to develop a social security system that guaranteed universal social protection coverage and provided appropriate benefits for all workers and persons, especially those disadvantaged and marginalized, including migrants of Haitian origin.[81]

3. Right to an adequate standard of living[82]

32. The Special Rapporteur on the sale of children noted that social protection measures had enabled the Dominican Republic to make significant progress in the fight against poverty but that the vulnerability of families and levels of inequality had increased.[83] The Committee on Economic, Social and Cultural Rights was concerned at the high levels of poverty, extreme poverty and inequality, especially in the cases of Haitians, Dominicans of Haitian descent, Afrodescendants and persons living in rural areas.[84]

33. Despite the efforts made by the State party, the Committee on Economic, Social and Cultural Rights regretted the insufficient investment in housing, including social housing, and the substandard housing conditions in the *bateyes*. It therefore recommended that the Dominican Republic adopt a comprehensive social housing strategy.[85] It also urged the State party to protect against forced eviction by adopting an appropriate legal framework.[86]

34. The Committee on Economic, Social and Cultural Rights was concerned at the insufficient drinking water supply and the limited access to adequate sanitation systems, particularly in rural areas.[87]

4. Right to health[88]

35. Despite the efforts made by the State party under the Ten-Year National Health Plan, the Committee on Economic, Social and Cultural Rights remained concerned at the low investment in health and at the inequality in terms of access to health.[89] The Committee on the Rights of the Child recommended that the Dominican Republic increase its health budget.[90] The Committee on Economic, Social and Cultural Rights recommended that the Dominican Republic make further efforts to ensure the accessibility, availability and quality of health care, particularly in rural and remote areas.[91] The United Nations country team noted that the State party had succeeded in increasing the extent to which health security

was accessible by establishing access to family health insurance as a right for all. Coverage had risen from 28 per cent of the total population in 2007 to 73.3 per cent in 2017.[92]

36. The United Nations country team noted that maternal and neonatal mortality rates remained above the average for Latin America and the Caribbean, that more than 80 per cent of maternal and neonatal deaths were preventable and the causes were linked to the low quality of health-care services.[93] The Special Rapporteur on the sale of children noted that maternal mortality was the second highest cause of death among girls and young women between the ages of 14 and 23 years old.[94] The Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights raised similar concerns.[95]

37. The Human Rights Committee was concerned about the complete ban on voluntary terminations of pregnancy, the violation of which carried a sentence of up to 20 years in prison, and the fact that the ban led to a large number of unsafe abortions and a high rate of maternal mortality.[96] It recommended that the Dominican Republic amend its legislation to guarantee safe, legal and effective access to voluntary termination of pregnancy, and not to impose criminal sanctions on women and girls who underwent an abortion.[97]

38. Various Committees were concerned at the continuingly high rate of teenage pregnancy.[98] The Committee on the Rights of the Child stressed that some adolescent pregnancies were the result of sexual violence[99] and that many maternal deaths were of adolescent girls.[100] The United Nations country team recommended that the Dominican Republic redouble its efforts in this area in order to make preventing teenage pregnancy a State priority.[101]

39. The Committee on the Rights of the Child recommended that the Dominican Republic ensure the sustainability of the HIV/AIDS programme, including for the prevention of mother-to-child transmission.[102]

5. Right to education[103]

40. The United Nations country team reported that the Dominican Republic had increased the budget allocated to pre-university education to 4 per cent of gross domestic product and acknowledged that the State party had made considerable efforts to improve its education system. It also noted that, while primary education attendance had increased, to 92 per cent at present, improving secondary school attendance, which was currently 55 per cent, and rising slowly, remained a challenge.[104] Despite several initiatives to increase school attendance, as well as the quality and access to basic education, the ILO Committee of Experts observed that major disparities in secondary school attendance in relation to the rate of primary school persisted.[105] The Special Rapporteur on the sale of children noted that the introduction of the extended-day programme in schools had allowed for significant advances to be made.[106]

41. The Committee on the Rights of the Child noted the Ten-Year Education Plan 2008–2018 and the increase in educational coverage,[107] while the Committee on Economic, Social and Cultural Rights welcomed the efforts made to increase education spending and to improve school infrastructure.[108] It expressed its concern, however, at the poor quality of instruction and the high dropout and repetition rates, particularly at the primary level.[109] The Committee on the Rights of the Child noted the high number of dropouts among pregnant girls and adolescent mothers.[110] The Committee on Economic, Social and Cultural Rights recommended that the Dominican Republic enhance the quality of instruction and adopt appropriate measures to reduce the school dropout and repetition rates at all levels of education, especially among marginalized and disadvantaged students.[111] UNESCO made a similar recommendation.[112]

42. The Committee on the Rights of the Child referred to the still insufficient educational infrastructure, to the high number of dropouts among pregnant girls and adolescent mothers,[113] and to the high rate of violence and bullying among students.[114] UNESCO noted that extreme social inequality had a significant negative influence on school enrolment and the education environment.[115] It therefore recommended that the State take measures to improve education quality, which could be provided through adequate school infrastructure and a learning environment free of school violence.[116]

43. According to UNESCO, inclusive education still faced great challenges in the Dominican Republic, especially with regard to students with disabilities and children of Haitian descent.[117] The United Nations country team recommended that the Dominican Republic strengthen its efforts to improve the quality of education, to extend the educational inclusion of children with disabilities and to foster the expansion of technical and vocational training centres.[118] The Committee on the Rights of Persons with Disabilities made similar recommendations.[119]

D. Rights of specific persons or groups

1. Women[120]

44. The Committee on the Rights of the Child welcomed the National Gender Equality and Equity Plan (2007–2017).[121] The Committee on the Rights of Persons with Disabilities recommended that the Dominican Republic include women and girls with disabilities in the work and policies of the Ministry for Women.[122]

45. The Committee on the Rights of the Child remained concerned at persistent discrimination against and gender stereotyping of women and girls, which contributed to the high prevalence of gender-based violence, particularly against girls of Haitian origin.[123]

46. Despite the significant efforts made by the State party, the Human Rights Committee remained concerned at the high rates of violence against women, including domestic violence, and at the persistently high number of femicides and rapes.[124] The Committee on the Elimination of Discrimination against Women regretted that the bill to combat violence against women had not yet been adopted and that no steps had been taken to implement a national plan of action to prevent and combat such violence.[125] The United Nations country team recommended that the Dominican Republic promote women's right to a life free from violence by building consensual support for a comprehensive law on the prevention, treatment, punishment and eradication of violence against women and for the allocation of greater resources to the Ministry of Women.[126]

47. The Human Rights Committee and the Committee on Economic, Social and Cultural Rights were concerned about the limited participation of women in political and public life, and their underrepresentation in both the public and private sectors. They recommended that the Dominican Republic make further efforts to increase women's representation and participation, including through temporary special measures.[127] The United Nations country team reported that the 2016 elections had brought advances in the political participation of women but that women were still underrepresented in ministries, decentralized agencies, diplomatic missions and provincial government.[128]

2. Children[129]

48. The Committee on the Rights of the Child welcomed the Policy on Early Childhood (2013)[130] and recommended that the Dominican Republic allocate adequate resources to the Comprehensive Early Childhood Protection and Care Plan (2013).[131] The Special Rapporteur on the sale of children recommended that the Dominican Republic strengthen the National Council for Children and Adolescents and provide it with the technical and financial resources needed to fulfil its mandate.[132] The Committee on the Rights of the Child made a similar recommendation.[133]

49. The Committee on Economic, Social and Cultural Rights was concerned that a significant number of children under the age of 5 were not registered, and the Human Rights Committee expressed its concern at the low rate of birth registration.[134] The Human Rights Committee recommended that the Dominican Republic make further efforts to ensure that all children born in its territory were registered and issued with an official birth certificate.[135] The Committee on Economic, Social and Cultural Rights made a similar recommendation.[136]

50. The Special Rapporteur on the sale of children indicated that the Dominican Republic had the highest rate of child marriage in Latin America and the Caribbean and that girls were most likely to be affected, in violation of their rights to health, education and

development.[137] She also recommended that the Dominican Republic raise the minimum age of marriage to 18 years for both men and women, without exception, and that child marriage be defined as an offence in the Criminal Code.[138] The Committee on the Rights of the Child made similar recommendations.[139]

51. The Special Rapporteur on the sale of children expressed concern about the multiple forms of sale, exploitation and sexual abuse of children that persisted in the Dominican Republic, and about the sexual violence to which children were exposed within families.[140] The Committee on the Rights of the Child referred to the high prevalence of corporal punishment of children.141 It recommended that the State adopt a comprehensive law that addressed all forms of violence and explicitly prohibited corporal punishment in all settings.[142]

52. The Committee on the Rights of the Child was concerned at the high prevalence of sexual abuse and exploitation of children and adolescents, particularly of Haitian descent, including by foreign tourists, and cases involving the Roman Catholic Church.[143] According to the Committee on Economic, Social and Cultural Rights, the privileges afforded to members of the Catholic clergy had constituted barriers to the prosecution of some clerics.[144]

53. The Special Rapporteur on the sale of children noted that the incidence of sexual exploitation of children was concentrated mainly in coastal towns such as Bávaro, Boca Chica, Cabarete, Las Terrenas and Sosúa.[145] She recommended that the Dominican Republic introduce a sustainable tourism development strategy within the Ministry of Tourism that included a child sex tourism prevention plan spearheaded by the Ministry in conjunction with the private sector, migration authorities, police, airports, the Special Corps for Tourism Security, the National Council for Children and Adolescents, the Attorney General's Office and the various countries of origin of tourists.[146]

54. The United Nations country team mentioned that the State party had made significant efforts to strengthen its capacity to prosecute such offences, especially online pornography.[147]

55. The Special Rapporteur on the sale of children noted that she had received reports of other forms of sale and exploitation of children, including labour exploitation in domestic work, farming and sport, and also in forced begging.[148] The Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child were concerned at the rate of child labour, especially in domestic work, farming and in hazardous work.[149] The Committee on the Rights of the Child was concerned that more than half of child workers did not attend school, and that many suffered violence.[150]

56. The Committee on the Rights of the Child was concerned about large number of children sentenced to prison and subjected to prolonged pretrial detention, and the inefficient functioning of the juvenile justice system.[151]

3. Persons with disabilities

57. Four Committees welcomed the adoption of the Organic Act on Equal Rights for Persons with Disabilities (Act No. 5-13) of 8 January 2013.[152] The Committee on the Rights of Persons with Disabilities recommended that the Dominican Republic review its legislation with a view to removing terminology and provisions contrary to the Convention on the Rights of Persons with Disabilities.[153] It also recommended that the State amend the Civil Code to recognize the full legal capacity of all persons with disabilities.[154]

58. The Committee on the Rights of Persons with Disabilities recommended that the Dominican Republic establish mechanisms for permanent consultation with organizations of persons with disabilities, and include them in the decision-making structures of the National Council on Disability.[155] The Committee on the Rights of the Child urged the State to ensure coordination between the National Council on Disability and the National Council for Children and Adolescents.[156]

59. While welcoming the National Accessibility Plan,[157] the Committee on the Rights of Persons with Disabilities recommended that the Dominican Republic adopt standards and

regulations on accessibility to the physical environment, transport, information and communication, in line with the Convention.[158]

60. The Committee on the Rights of Persons with Disabilities called upon the Dominican Republic to provide persons with disabilities in criminal proceedings with guarantees of due process and reasonable accommodation.[159]

61. The Human Rights Committee was concerned at reports of discrimination against persons with disabilities with regard to access to basic services, education and employment.[160]

62. The Committee on the Rights of Persons with Disabilities, concerned at the forced medical and psychiatric treatment of persons with disabilities, recommended that the Dominican Republic prohibit medical treatment without the free and informed consent of the person with disabilities concerned.[161] It also recommended that the State prohibit the forced sterilization of women and girls with disabilities.[162] The Human Rights Committee made a similar recommendation.[163]

63. The Committee on the Rights of Persons with Disabilities recommended that the Dominican Republic recognize Dominican Sign Language as an official language and implement a sign language training strategy for public sector personnel, and that it encourage the inclusion of education in sign language at educational institutions.[164]

4. Minorities and indigenous peoples[165]

64. The Committee on Economic, Social and Cultural Rights was concerned about persistent racial discrimination against persons of African descent. It recommended that the Dominican Republic take steps to combat discrimination against them, and urged it to develop a data-collection methodology that took into account the multi-ethnic composition of the population and incorporated an ethnic variable based on the criterion of self-identification.[166]

65. The Committee recommended that the Dominican Republic take all necessary steps to strengthen the protection of cultural rights and respect for cultural diversity by fostering an enabling environment for Afrodescendent communities.[167]

5. Migrants, refugees, asylum seekers and internally displaced persons[168]

66. The United Nations country team reported that the National Plan for the Regularization of Foreign Nationals launched at the end of 2013 had allowed approximately 260,000 persons, of a total of 288,000 applicants under the Plan, to have their migration status regularized. During the period there had been a marked increase in immigration from Venezuela, as well as an increase in deportations and cases of trafficking in human beings involving Venezuelan nationals.[169]

67. The Human Rights Committee was concerned at the vulnerability of Haitian migrants and the violence and assaults to which they were subjected.[170] It was also concerned at high number of persons of Haitian origin deported, and at reports of mass, arbitrary deportations and expulsions, including pushbacks at the border, which were carried out in the absence of procedural safeguards.[171] It recommended that the Dominican Republic revise its laws and practices to ensure that deportations and expulsions were carried out in compliance with international standards.[172] The Committee on the Rights of the Child also recommended that the Dominican Republic make further efforts to adopt coordination protocols with Haiti.[173]

68. The Human Rights Committee referred to reported deportations of unaccompanied minors and the vulnerability of a large number of unaccompanied Haitian migrant children.[174] The Committee on the Rights of the Child observed that the majority of child migrants, most of them from Haiti, lacked residential permits and adequate access to services and were frequently victims of exploitation, discrimination and violence.[175]

69. The Committee on the Rights of the Child was concerned at the inefficient functioning of the National Refugee Commission.[176] The Human Rights Committee expressed its concern at the extremely low number of people granted asylum, the restrictive

criteria for admission and the inadequate procedural safeguards for asylum seekers and refugee claimants, which placed them at risk of refoulement.[177] The Committee recommended that the Dominican Republic protect asylum seekers and refugee claimants, including Haitian and non-Haitian minors and migrants, in keeping with international standards, by revising its admissibility criteria and application and appeal procedures.[178]

70. The Committee on the Rights of the Child recommended that the Dominican Republic provide access to education, health, shelter and other services to child refugees and asylum seekers.[179]

6. Stateless persons[180]

71. The Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child regretted Constitutional Court ruling No. TC/0168/13 (2013), which had left thousands of Dominicans, mostly of Haitian descent, without Dominican nationality and in a statelessness situation, and that the State had not complied with the August 2014 judgment of the Inter-American Court of Human Rights in the case of *Expelled Dominicans and Haitians v. Dominican Republic*. Information referred to a large number of first-generation immigrants and their descendants, whose Dominican nationality had been denied as a result of ruling No. TC/0168/13.[181]

72. The Committee on Economic, Social and Cultural Rights found it regrettable that, pursuant to the ruling of the Constitutional Court, persons of Haitian descent born in the State party and who had lived there for decades had retroactively been deprived of their nationality.[182]

73. The United Nations country team reported that, in response to Constitutional Court decision 169-13, which had deprived an indeterminate number of people of Dominican nationality, the Dominican Republic had promulgated Act No. 169/14.[183] While Act No. 169/14 mitigated the consequences of the decision, the Human Rights Committee was concerned at its limited scope and the unreasonable procedures and requirements it had created.[184] The Committee was concerned about the situation of persons in group A, who had not received their nationality documents; persons in group B, who were still awaiting naturalization in order to recover their Dominican nationality and who had been unable to register during the special registration process; and persons born between 18 April 2007 and 26 January 2010.[185]

74. The United Nations country team reported that the Act had allowed for validation of the birth certificates of 55,000 persons born in the country whose births had been registered (group A) but that official statistics for the number of persons who had received their identity documents were still unavailable. The Act had also introduced a special registration procedure for persons born in the country who had never had a birth certificate (group B). However, of a total of 8,755 such persons, only 5,500 had had their naturalization requests approved and were in the process of applying for permanent residence: the application process had to be initiated in the capital city, and persons over the age of 18 years were ineligible. The United Nations country team added that the naturalization procedure had not been properly explained and publicized to this group.[186]

75. According to the Committee on Economic, Social and Cultural Rights, despite the adoption of Act No. 169/14, a significant number of persons of Haitian descent were stateless.[187] The Human Rights Committee was concerned at reports of lack of access to basic services among individuals without Dominican nationality documents, including children, and at the denial of their civil and political rights.[188]

76. The Human Rights Committee recommended that the Dominican Republic restore the Dominican nationality of all persons affected by ruling No. TC/0168/13, including by enforcing the judgment of the Inter-American Court of Human Rights of August 2014.[189]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Dominican Republic will be available at www.ohchr.org/EN/Countries/LACRegion/Pages/DOIndex.aspx.
[2] For relevant recommendations, see A/HRC/26/15, paras. 98.1–98.21 and 98.31–98.33.
[3] E/C.12/DOM/CO/4, paras. 68–69 and CRC/C/DOM/CO/3-5, para. 76. See also United Nations country team submission for the universal periodic review of the Dominican Republic, para. 11, and A/HRC/37/60/Add.1, para. 74 (a).
[4] E/C.12/DOM/CO/4, paras. 68–69 and CRC/C/DOM/CO/3-5, para. 76. See also United Nations country team submission, para. 11.
[5] E/C.12/DOM/CO/4, paras. 68–69 and CRC/C/DOM/CO/3-5, para. 76.
[6] CRC/C/DOM/CO/3-5, para. 76.
[7] E/C.12/DOM/CO/4, paras. 68–69 and CRC/C/DOM/CO/3-5, para. 75 See also United Nations country team submission, para. 11, and A/HRC/37/60/Add.1, para. 74 (a).
[8] CRC/C/DOM/CO/3-5, para. 28 (d), E/C.12/DOM/CO/4, para. 22 (d) and CCPR/C/DOM/CO/6, para. 26 (b). See also United Nations country team submission, para. 11, A/HRC/37/60/Add.1, para. 74 (a), and the letter dated 15 April 2016 from Human Rights Committee addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, p. 2. Available from http://tbinternet.ohchr.org/Treaties/CCPR/SharedDocuments/DOM/INT_CCPR_FUL_DOM_23625_S.pdf.
[9] United Nations country team submission, para. 22.
[10] A/HRC/37/60/Add.1, para. 80 (a).
[11] CCPR/C/DOM/CO/6, para. 5, E/C.12/DOM/CO/4, para. 5 and CRC/C/DOM/CO/3-5, para. 78.
[12] CCPR/C/DOM/CO/6, para. 6. See also E/C.12/DOM/CO/4, para. 6 and CRC/C/DOM/CO/3-5, para. 79.
[13] United Nations country team submission, para. 25. See also OHCHR, "Human Rights in the Field: Americas", in *OHCHR Report 2017*, p. 242.
[14] For relevant recommendations, see A/HRC/26/15, paras. 98.22–98.29.
[15] CRC/C/DOM/CO/3-5, paras. 5 (c) and 9 and E/C.12/DOM/CO/4, para. 4 (b).
[16] CRPD/C/DOM/CO/1, para. 5.
[17] Ibid., para. 61.
[18] E/C.12/DOM/CO/4, para. 70.
[19] CCPR/C/DOM/CO/6, para. 5. See also E/C.12/DOM/CO/4, para. 4 (d).
[20] United Nations country team submission, para. 19.
[21] CRC/C/DOM/CO/3-5, paras. 5 (b) and CCPR/C/DOM/CO/6, para. 7.
[22] E/C.12/DOM/CO/4, para. 13.
[23] CCPR/C/DOM/CO/6, para. 7. See also E/C.12/DOM/CO/4, para. 13.
[24] CCPR/C/DOM/CO/6, para. 8. See also E/C.12/DOM/CO/4, para. 14 and CRC/C/DOM/CO/3-5, para. 14 (c), A/HRC/37/60/Add.1, para. 75 (c) and United Nations country team submission, para. 15.
[25] E/C.12/DOM/CO/4, para. 14. See also CCPR/C/DOM/CO/6, para. 8 and OHCHR, "Human Rights in the Field: Americas", in *OHCHR Report 2017*, p. 243.
[26] United Nations country team submission, para. 15.
[27] Ibid., para. 21. See also OHCHR, "Human Rights in the Field: Americas", in *OHCHR Report 2017*, p. 242.
[28] CCPR/C/DOM/CO/6, para. 3 (b).
[29] For relevant recommendations, see A/HRC/26/15, paras. 98.37–98.39, 98.42–98.43 and 98.109–98.111.
[30] CCPR/C/DOM/CO/6, paras. 9–10. See also E/C.12/DOM/CO/4, para. 19.
[31] E/C.12/DOM/CO/4, para. 20.
[32] United Nations country team submission, para. 37.
[33] CCPR/C/DOM/CO/6, para. 9 and E/C.12/DOM/CO/4, para. 21. See also CRC/C/DOM/CO/3-5, para. 17 (c).
[34] E/C.12/DOM/CO/4, para. 22 (a). See also CCPR/C/DOM/CO/6, para. 10.
[35] CCPR/C/DOM/CO/6, paras. 9–10. See also E/C.12/DOM/CO/4, para. 25 and CRC/C/DOM/CO/3-5, para. 17 (d).
[36] United Nations country team submission, paras. 38–43. See also E/C.12/DOM/CO/4, para. 26.
[37] For relevant recommendations, see A/HRC/26/15, paras. 98.41 and 98.44–98.53.

[38] CCPR/C/DOM/CO/6, para. 3 (c). See also para. 17, and OHCHR, "Human Rights in the Field: Americas", in *OHCHR Report 2017*, p. 243.
[39] United Nations country team submission, para. 10.
[40] CCPR/C/DOM/CO/6, para. 17. See also CRC/C/DOM/CO/3-5, para. 71 (e).
[41] United Nations country team submission, paras. 30–32.
[42] CCPR/C/DOM/CO/6, paras. 21–22. See also E/C.12/DOM/CO/4, paras. 62–63 and CRC/C/DOM/CO/3-5, paras. 71 (c) and (f) and 72 (d)–(f).
[43] E/C.12/DOM/CO/4, para. 63.
[44] CRC/C/DOM/CO/3-5, para. 72 (g) and (h).
[45] For the relevant recommendation, see A/HRC/26/15, para. 98.75.
[46] CCPR/C/DOM/CO/6, paras. 27–28.
[47] Letter dated 26 April 2017 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, p. 2. Available from http://tbinternet.ohchr.org/Treaties/CEDAW/SharedDocuments/DOM/INT_CEDAW_FUL_DOM_27289_E.pdf. See also CEDAW/C/DOM/CO/6-7/Add.1, para. 2.
[48] Letter dated 26 April 2017 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, p. 3.
[49] CCPR/C/DOM/CO/6, para. 29.
[50] E/C.12/DOM/CO/4, para. 15.
[51] CRC/C/DOM/CO/3-5, para. 12 (d), E/C.12/DOM/CO/4, para. 16 and CCPR/C/DOM/CO/6, para. 30.
[52] CCPR/C/DOM/CO/6, para. 30 and E/C.12/DOM/CO/4, para. 16.
[53] E/C.12/DOM/CO/4, para. 16.
[54] For relevant recommendations, see A/HRC/26/15, paras. 98.77–98.78.
[55] CCPR/C/DOM/CO/6, para. 31. See also E/C.12/DOM/CO/4, paras. 9–10.
[56] CRC/C/DOM/CO/3-5, para. 15.
[57] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3300824,102930,Dominican Republic,2016.
[58] CCPR/C/DOM/CO/6, para. 32. See also E/C.12/DOM/CO/4, para. 10 and CRC/C/DOM/CO/3-5, para. 16.
[59] E/C.12/DOM/CO/4, para. 10.
[60] UNESCO submission for the universal periodic review of the Dominican Republic, para. 17.
[61] For relevant recommendations, see A/HRC/26/15, paras. 98.36, 98.68 and 98.71–98.74.
[62] CCPR/C/DOM/CO/6, para. 19. See also CRC/C/DOM/CO/3-5, paras. 33 (a) and 69.
[63] CRC/C/DOM/CO/3-5, para. 69 (a).
[64] A/HRC/37/60/Add.1, para. 22.
[65] Ibid., para. 78 (b).
[66] CCPR/C/DOM/CO/6, paras. 19-20. See also CRC/C/DOM/CO/3-5, para. 66 (b).
[67] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3335486,102930,Dominican Republic,2017.
[68] For relevant recommendations, see A/HRC/26/15, paras. 98.69–98.70 and 98.79.
[69] E/C.12/DOM/CO/4, para. 30.
[70] CRPD/C/DOM/CO/1, para. 50.
[71] CCPR/C/DOM/CO/6, para. 9.
[72] E/C.12/DOM/CO/4, para. 31 (a).
[73] See https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3298476,102930,Dominican Republic,2016.
[74] See https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUNRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3297688,102930,DominicanRepublic,2016.
[75] E/C.12/DOM/CO/4, para. 34.
[76] Ibid., para. 35 (d).
[77] Ibid., para. 39. See also CCPR/C/DOM/CO/6, paras. 31–32.
[78] E/C.12/DOM/CO/4, para. 40. See also CCPR/C/DOM/CO/6, para. 32.

[79] Letter dated 26 April 2017 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, p. 4. See also CEDAW/C/DOM/CO/6-7/Add.1, paras. 47–61.
[80] For the relevant recommendation, see A/HRC/26/15, para. 98.90.
[81] E/C.12/DOM/CO/4, para. 42.
[82] For relevant recommendations, see A/HRC/26/15, paras. 98.80–98.87.
[83] A/HRC/37/60/Add.1, para. 41.
[84] E/C.12/DOM/CO/4, para. 48. See also CRPD/C/DOM/CO/1, para. 53 and CRC/C/DOM/CO/3-5, para. 48 (c).
[85] E/C.12/DOM/CO/4, paras. 51–52.
[86] Ibid., para. 54.
[87] Ibid., para. 51. See also CRC/C/DOM/CO/3-5, para. 50 (f).
[88] For relevant recommendations, see A/HRC/26/15, paras. 98.91–98.99.
[89] E/C.12/DOM/CO/4, para. 55. See also CRC/C/DOM/CO/3-5, paras. 11 and 49.
[90] CRC/C/DOM/CO/3-5, para. 12 (a). See also E/C.12/DOM/CO/4, para. 56.
[91] E/C.12/DOM/CO/4, para. 56. See also CRPD/C/DOM/CO/1, para. 47 (a).
[92] United Nations country team submission, para. 75.
[93] Ibid., paras. 27–28.
[94] A/HRC/37/60/Add.1, para. 41.
[95] E/C.12/DOM/CO/4, para. 55. See also CRC/C/DOM/CO/3-5, para. 49.
[96] CCPR/C/DOM/CO/6, para. 15. See also E/C.12/DOM/CO/4, para. 59 and CRC/C/DOM/CO/3-5, para. 51 (c).
[97] CCPR/C/DOM/CO/6, para. 16. See also CRC/C/DOM/CO/3-5, para. 52 (d).
[98] CCPR/C/DOM/CO/6, paras. 15–16, E/C.12/DOM/CO/4, para. 59 and CRC/C/DOM/CO/3-5, paras. 51 (a) and 52 (b) and (c).
[99] CRC/C/DOM/CO/3-5, para. 33 (c).
[100] Ibid., para. 51 (b).
[101] United Nations country team submission, para. 73.
[102] CRC/C/DOM/CO/3-5, para. 54 (a).
[103] For relevant recommendations, see A/HRC/26/15, paras. 98.100–98.106.
[104] United Nations country team submission, paras. 50–54.
[105] See: https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P11110_COUTRY_ID,P11110_COUNTRY_NAME,P11110_COMMENT_YEAR:3335494,102930,Dominican Republic,2017.
[106] A/HRC/37/60/Add.1, para. 41.
[107] CRC/C/DOM/CO/3-5, para. 57.
[108] E/C.12/DOM/CO/4, para. 64. See also CRC/C/DOM/CO/3-5, para. 11.
[109] E/C.12/DOM/CO/4, para. 64 (a) and (c). See also CRC/C/DOM/CO/3-5, para. 57 (c).
[110] CRC/C/DOM/CO/3-5, para. 57 (f).
[111] E/C.12/DOM/CO/4, para. 65 (a) and (d). See also CRC/C/DOM/CO/3-5, paras. 58 (b) (d) and 66 (d).
[112] UNESCO submission, p. 6.
[113] CRC/C/DOM/CO/3-5, para. 57 (e) and (f).
[114] Ibid., para. 31 (c).
[115] UNESCO submission, para. 11.
[116] Ibid., p. 6.
[117] Ibid., para. 13.
[118] United Nations country team submission, para. 55.
[119] CRPD/C/DOM/CO/1, paras. 44 and 45 (a) and (b). See also CRC/C/DOM/CO/3-5, para. 48 (a).
[120] For relevant recommendations, see A/HRC/26/15, paras. 98.34–98.35, 98.54–98.67 and 98.88–98.89.
[121] CRC/C/DOM/CO/3-5, para. 5 (d); see also para. 17.
[122] CRPD/C/DOM/CO/1, paras. 10–11.
[123] CRC/C/DOM/CO/3-5, paras. 17 (b) and 18 (c). See also E/C.12/DOM/CO/4, para. 27.
[124] CCPR/C/DOM/CO/6, paras. 13–14. See also CRC/C/DOM/CO/3-5, paras. 31 (a) and 32 (c), CCPR/C/DOM/CO/5/Add.1, paras. 4–41, and the letter dated 15 April 2016 from the Human Rights Committee addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, pp. 1–2.
[125] Letter dated 26 April 2017 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, p. 1. See also CEDAW/C/DOM/CO/6-7/Add.1, paras. 1 and 3 (a).
[126] United Nations country team submission, para. 63.

[127] CCPR/C/DOM/CO/6, paras. 11–12 and E/C.12/DOM/CO/4, paras. 27 and 28 (b).
[128] United Nations country team submission, para. 58.
[129] For relevant recommendations, see A/HRC/26/15, paras. 98.87–98.88, 98.101–98.103, 98.108 and 98.127.
[130] CRC/C/DOM/CO/3-5, paras. 5 (a) and 9.
[131] Ibid., para. 46.
[132] A/HRC/37/60/Add.1, para. 75 (a).
[133] CRC/C/DOM/CO/3-5, para. 42 (g) (c) (e) (b) (f).
[134] E/C.12/DOM/CO/4, para. 46 and CCPR/C/DOM/CO/6, para. 33. See also CRC/C/DOM/CO/3-5, para. 25.
[135] CCPR/C/DOM/CO/6, para. 34. See also CRC/C/DOM/CO/3-5, para. 26 (a).
[136] E/C.12/DOM/CO/4, para. 47. See also CRC/C/DOM/CO/3-5, para. 26 (b) and (c).
[137] A/HRC/37/60/Add.1, paras. 14–17. See also CRC/C/DOM/CO/3-5, paras. 37–38 and CCPR/C/DOM/CO/6, para. 33.
[138] A/HRC/37/60/Add.1, para. 74 b).
[139] CRC/C/DOM/CO/3-5, paras. 37–38. See also CCPR/C/DOM/CO/6, paras. 33–34.
[140] A/HRC/37/60/Add.1, paras. 9–13.
[141] CRC/C/DOM/CO/3-5, para. 31 (b).
[142] Ibid., para. 32 (a).
[143] Ibid., paras. 33 (a) and 35. See also E/C.12/DOM/CO/4, para. 44 and CCPR/C/DOM/CO/6, para. 19.
[144] E/C.12/DOM/CO/4, para. 44. See also CRC/C/DOM/CO/3-5, paras. 35 and 36 (c), and E/C.12/DOM/CO/4, para. 45 (b).
[145] A/HRC/37/60/Add.1, paras. 18 and 63–67.
[146] A/HRC/37/60/Add.1, para. 79 (g) and (i). See also CRC/C/DOM/CO/3-5, para. 34 (g)–(h).
[147] United Nations country team submission, para. 68.
[148] A/HRC/37/60/Add.1, para. 25.
[149] CCPR/C/DOM/CO/6, para. 19, E/C.12/DOM/CO/4, para. 44 and CRC/C/DOM/CO/3-5, para. 65 (a).
[150] CRC/C/DOM/CO/3-5, para. 65 (d). See also CRPD/C/DOM/CO/1, paras. 32 and 33 (a), CRC/C/DOM/CO/3-5, para. 66 (a) and (b), E/C.12/DOM/CO/4, para. 45 (c) and (d), and CCPR/C/DOM/CO/6, para. 20.
[151] CRC/C/DOM/CO/3-5, paras. 71–72.
[152] CCPR/C/DOM/CO/6, para. 3 (a), CRPD/C/DOM/CO/1, para. 3 (b), E/C.12/DOM/CO/4, para. 4 (a) and CRC/C/DOM/CO/3-5, paras. 3 (a) and 47.
[153] CRPD/C/DOM/CO/1, para. 5.
[154] Ibid., para. 21.
[155] Ibid., para. 7.
[156] CRC/C/DOM/CO/3-5, para. 48 (d).
[157] CRPD/C/DOM/CO/1, para. 3 (c).
[158] Ibid., para. 17; see also paras. 23, 25, 55 and 57 (b).
[159] Ibid., para. 29.
[160] CCPR/C/DOM/CO/6, para. 9. See also CRC/C/DOM/CO/3-5, paras. 17 and 48.
[161] CRPD/C/DOM/CO/1, paras. 30–31.
[162] Ibid., para. 35.
[163] CCPR/C/DOM/CO/6, para. 16.
[164] CRPD/C/DOM/CO/1, para. 41.
[165] For the relevant recommendation, see A/HRC/26/15, para. 98.40.
[166] E/C.12/DOM/CO/4, paras. 23–24.
[167] Ibid., para. 67.
[168] For relevant recommendations, see A/HRC/26/15, paras. 98.107–98.108 and 98.120–98.124.
[169] United Nations country team submission, paras. 44–46.
[170] CCPR/C/DOM/CO/6, para. 9.
[171] Ibid., para. 23.
[172] Ibid., para. 24 (a).
[173] CRC/C/DOM/CO/3-5, para. 64 (b).
[174] CCPR/C/DOM/CO/6, para. 23. See also CRC/C/DOM/CO/3-5, para. 63.
[175] CRC/C/DOM/CO/3-5, para. 63.
[176] Ibid., para. 61.
[177] CCPR/C/DOM/CO/6, para. 23. See also CRC/C/DOM/CO/3-5, para. 61.
[178] CCPR/C/DOM/CO/6, para. 24 (b), (c) and (d). See also CRC/C/DOM/CO/3-5, para. 62 (b) and (c), CCPR/C/DOM/CO/5/Add.1, paras. 2 – 3 and the letter dated 15 April 2016 from the Human Rights Committee addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, p. 1.
[179] CRC/C/DOM/CO/3-5, para. 62 (d).

[180] For relevant recommendations, see A/HRC/26/15, paras. 98.112–98.119 and 98.125–98.133.
[181] CCPR/C/DOM/CO/6, para. 25, E/C.12/DOM/CO/4, paras. 5 and 21, and CRC/C/DOM/CO/3-5, para. 27. See also CRPD/C/DOM/CO/1, para. 36 and the letter dated 15 April 2016 from the Human Rights Committee addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, p. 2.
[182] E/C.12/DOM/CO/4, para. 21.
[183] United Nations country team submission, paras. 33–35.
[184] CCPR/C/DOM/CO/6, para. 25. See also CRC/C/DOM/CO/3-5, para. 27 and the letter dated 15 April 2016 from the Human Rights Committee addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, p. 2.
[185] CCPR/C/DOM/CO/6, para. 25. See also the letter dated 15 April 2016 from the Human Rights Committee addressed to the Permanent Mission of the Dominican Republic to the United Nations Office and other international organizations in Geneva, p. 2.
[186] United Nations country team submission, paras. 33–35.
[187] E/C.12/DOM/CO/4, para. 21.
[188] CCPR/C/DOM/CO/6, para. 25. See also CRPD/C/DOM/CO/1, paras. 36, 47 (c) and 49.
[189] CCPR/C/DOM/CO/6, para. 26 (a). See also para. 34, and E/C.12/DOM/CO/4, para. 22 (b)–(d), CRC/C/DOM/CO/3-5, para. 28 (a)–(c), CCPR/C/DOM/CO/5/Add.1, paras. 42–47, 51–61 and 68–71.

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Summary of Stakeholders' submissions on Dominican Republic*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 23 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations[2] and cooperation with international human rights mechanisms and bodies[3]

2. Center for Global Nonkilling (CGNK) congratulated the Dominican Republic for the ratification of the second protocol of the Covenant on civil and political rights abolishing the death penalty.[4]

3. Joint Submission 6 (JS6) noted that the Dominican Republic had accepted the recommendation to consider ratifying the international human rights instruments to which it is not yet a State party; however, at the time of this report's submission, the State had not yet ratified these conventions.[5]

4. Asociación Lazos de Dignidad (ALD) recommended that the Dominican Republic consider signing and ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.[6]

5. CGNK recommended that the Dominican Republic ratify the Convention on the Prevention and Punishment of the Crime of Genocide and the International Convention for the Protection from Enforced Disappearances.[7]

* The present document was not edited before being sent to United Nations translation services.

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6. JS6, Amnesty International (AI), Joint Submission (JS2), World Council of Churches (WCC) recommended that the Dominical Republic ratify the UN Convention relating to the Status of Stateless Persons (1954) and the UN Convention on the Reduction of Statelessness (1961).[8]

7. AI recommended that the Dominican Republic leave without effect judgment 256-14 of the Constitutional Court and clearly acknowledge the competency of the Inter-American Court of Human Rights.[9]

B. National human rights framework[10]

8. Joint Submission 5 (JS5) noted the Ombudswoman's conservatism and her open support of the Catholic Church and was concerned about the technical ability of her Office's staff.[11]

9. JS5 recommended that the Office of the Ombudswoman observe secularism in all public engagements, run an information campaign about its mandate, recruit technically qualified staff and establish an office for gender equality and development.[12] Joint Submission 10 (JS10) recommended that the Office hold consultations with civil society organizations working on lesbian, gay, bisexual and trans (LGBT) rights and that it set up a unit or appoint focal points for discrimination issues.[13]

10. Joint Submission 11 (JS11) recommended that the Dominican Republic promulgate the National Human Rights Plan, which should include an updated calendar for effective implementation, by the end of the year.[14] In addition, JS7 recommended that it mainstream LGBT issues.[15]

11. JS2 noted the establishment of a human rights monitoring system known as SIMORED.[16]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[17]

12. JS2 reported that racism was connected with poverty and anti-Haitianism, causing serious human rights violations. The situation had escalated with the adoption of Constitutional Court judgment 168-13, whereby thousands of persons of Haitian descent had been stripped of their Dominican nationality, and the implementation of Act No. 169-14, which had introduced distinct systems for registering the birth of Dominican nationals of foreign descent.[18]

13. Joint Submission 8 (JS8) noted that Haitian immigrants were victims of acts that could be considered xenophobic, such as acts of violence, the burning down of homes, intimidation, house raids, collective repatriations and family separations, etc.[19]

14. The Inter-American Commission on Human Rights reiterated its interest in seeing the State promptly adopt a general act on equality and non-discrimination.[20] JS2, JS6 and JS10 recommended that the Dominican Republic establish a legal framework to punish all forms of discrimination.[21] In addition, JS7 and Joint Submission 9 (JS9) recommended that it punish discriminatory conduct motivated by sexual orientation or gender identity.[22]

15. JS9 indicated that Dominican law does not ban consensual sexual relations between same-sex adults; however, gender changes were not permitted on identity or civil status documents and same-sex couples could not join the medical insurance scheme. Furthermore, the Criminal Code did not currently criminalize hate crimes or make sexual orientation an aggravating circumstance of homicide, and there was no law prohibiting conversion therapy to force a change of sexual orientation or gender identity.[23]

16. JS7 noted that the human rights of LGBT persons were continually being violated owing to a lack of awareness and entrenched social prejudice.[24] JS9 noted that LGBTI persons experienced discrimination in access to services, including housing, employment, education and health care.[25]

17. With regard to recommendation 98.42, JS10 noted the disinclination of the legislative bodies to table bills recognizing the rights of and addressing discrimination against LGBTTIQ persons.[26] JS9 and JS10 recommended that the Dominican Republic adopt a law on gender identity.[27]

2. Civil and political rights

Right to life, liberty and security of person[28]

18. AI noted that while the Dominican Congress passed a new Organic Act on the National Police in July 2016, killings by law enforcement officers remained high. It had also documented the use of excessive force and harassment by the police against peaceful activists.[29] JS11 recommended that the Dominican Republic ensure that the Organic Act on the National Police be supported by monitoring mechanisms to assess the performance of individuals being recruited as police officers.[30]

19. JS7, JS9 and AI raised the issue of violence motivated by sexual orientation and gender identity, with an emphasis on trans women.[31] JS9 added that lesbians and trans persons faced the threat of gender-based violence and so-called "corrective" rape.[32]

20. JS7 recommended that the Dominican Republic include hate crimes motivated by sexual orientation or gender identity in the draft Criminal Code.[33] JS9 and AI recommended that it take the measures necessary to prevent, investigate and punish acts of violence motivated by sexual orientation or gender identity.[34] JS10 recommended that it devise a national campaign on the prevention of violence against the LGBTTI population.[35]

21. Regarding recommendation 98.41, JS10 reported that LGBTTIQ persons had filed complaints of arbitrary detention by the police and investigative authorities with the Office of the Human Rights Advocate.[36]

22. JS11 noted that the situation in prisons was critical because the system was still split between correctional and rehabilitative centres operating under the new model of prison management and prisons operating under the old model. Irregularities including harassment and human rights violations continued to occur in the latter facilities.[37]

23. JS11 reported that prisons operating under the old model housed 79.7 per cent of the prison population and had an overcrowding rate of 290.4 per cent; the rate of overcrowding across the Dominican prison system as a whole was 194 per cent.[38] JS11 recommended that the Dominican Republic design a strategic plan on prison infrastructure development that included the construction and/or remodelling of centres for convicted prisoners in each judicial district and a pretrial detention centre.[39]

24. Joint Submission 3 (JS3) reported that none of the correctional and rehabilitative centres had spaces adapted for inmates with any form of disability.[40]

25. International Campaign to Abolish Nuclear Weapons (ICAN) referred to the implications of the Treaty on the Prohibition of Nuclear Weapons for the right to life.[41]

Administration of justice, including impunity, and the rule of law[42]

26. JS7 noted that the authorities of the Dominican Republic lacked the capacity to ensure justice for vulnerable groups, in this case trans women. The police, doctors and State officials exhibited intolerant, prejudiced attitudes and were unaware of the rights of LGBT persons.[43]

27. JS7 reported that there were very few complaints of violence against LGBT persons owing to the insufficient training of police officers and prosecutors, which also caused utter mistrust of the justice system and the authorities responsible for the administration of justice.[44] JS9 recommended that specialized training be provided to law enforcement

personnel and persons working in the justice system with a view to countering prejudices that could sway investigations.[45]

28. JS5 noted that persons who lived in poverty in rural areas had no means of defending themselves and obtaining justice against the Central Electoral Board's judicial applications for the nullification of birth certificates and the Constitutional Court judgment of 2013 because they lacked the means to pay for a lawyer.[46]

Fundamental freedoms and the right to participate in public and political life[47]

29. The Inter-American Commission on Human Rights expressed deep concern about acts of intolerance, threats and incitement of hatred against journalists, academics, lawyers, politicians, lawmakers, human rights defenders and public figures, including high-level public servants, who had criticized Constitutional Court judgment 0168/13.[48] JS6 and AI reported that they had been openly threatened and branded as traitors, and public demonstrations had called for "death to the traitors".[49]

30. JS6 recommended that Dominican Republic combat xenophobia, racism, and hate speech, and foster an environment where human rights defenders and civil society organizations can operate freely and openly to advocate for the human rights of all persons.[50]

31. Joint Submission 1 (JS1) recommended that the Dominican Republic ensure that the law on parties and the reform of the congressional elections system guaranteed the equal participation of women and provided, as a minimum, for: equal participation in party governance bodies; compulsory accountability mechanisms to ensure gender equality in budgets, education programmes and internal elections; and sanctions for non-compliance with electoral quotas.[51]

Prohibition of all forms of slavery[52]

32. JS8 acknowledged the importance of Act No. 137-03 for combating trafficking in persons and migrant smuggling, and also the State's concern in this regard, but highlighted the need to adopt policies to eradicate these practices and ensure their prosecution.[53] JS8 recommended that the Dominican Republic coordinate its actions with the Government of Haiti in order to prevent trafficking in persons and ensure cooperation in trafficking cases.[54]

33. JS5 recommended that the Dominican Republic roll out the National Plan against Migrant Smuggling and Trafficking in Persons, endow it with sufficient resources and ensure transparency in its implementation.[55]

34. JS1 noted that the Dominican Republic had the world's third highest prevalence of trafficking in persons, especially women and girls.[56] JS5 added that it was a country of origin and destination for trafficking and referred to the situation of Venezuelan women in irregular migration situations who were exposed to sexual and commercial exploitation, trafficking and smuggling.[57]

Right to privacy and family life[58]

35. JS2 acknowledged the modernization and automation of the civil registry, the adjustment of the cost of documents, the rapid registration of births among part of the population and the launch of mobile units for late registrations.[59] CGNK recommended to the Dominican Republic to swiftly improve the birth registration process.[60]

36. WCC noted that the social marginalization created by the deprivation of identity documentation was a major obstacle to overcoming structural poverty, especially in rural areas of the country.[61]

37. JS5 reported that, although child marriage was a violation of girls' rights, the State permitted the practice inasmuch as article 145 of the Civil Code set the minimum age for marriage at 18 for boys and 15 for girls.[62]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work[63]

38. JS5 noted that, despite the fact that the Dominican Republic had ratified International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), no implementing regulations had yet been adopted.[64]

39. JS1 indicated that the State had put in place a number of measures designed to enhance the economic independence of women; however, the lack of coordination between sectoral policies for women, poverty reduction policies and employment policies made it difficult to eliminate the structural causes of their lack of independence, such as the uneven distribution of work.[65] JS5 noted that the gap in labour market participation between men and women was very high.[66]

40. JS1 recommended that the Dominican Republic improve the technical skills of Ministry of Labour staff so as to equip them to design, implement and evaluate employment policies with a focus on gender, life cycles and rights that promote women's access to good quality jobs and jobs in non-traditional sectors.[67]

41. JS7 reported that cases of employment discrimination against trans persons tended to be frequent, chiefly because of underlying prejudice in society.[68]

42. JS11 reported, with regard to child labour, that the Dominican Republic had ratified the ILO Minimum Age Convention, 1973 (No. 138) and Worst Forms of Child Labour Convention, 1999 (No. 182) and had established a number of vocational training programmes for at-risk children and adolescents, including, for instance, the Solidaridad conditional cash transfer programme and grow-by-learning spaces. However, resource shortfalls and gaps in the implementation of labour laws in the agricultural sector continued to be a source of concern.[69]

Right to social security[70]

43. JS1 noted that the current social security system was based on a two-parent, patriarchal model of the family, in which the man was the head and provider of the family and, as such, the active subject of protection. Women were more likely than men to work in informal sectors of the market, which impeded their access to social security.[71]

Right to an adequate standard of living[72]

44. JS1 referred to aspects of poverty that affected women specifically and that were not taken into account, meaning that poverty reduction programmes had little transformative effect and only superficial results.[73]

45. Foro de Gestión de Riesgos de República Dominicana (FGRD) recommended that the Dominican Republic step up its efforts to safeguard children's right to food during periods of slow-onset threats, such as droughts.[74]

46. Regarding recommendation 98.86,[75] JS11 reported that, although the State had constructed a number of housing developments in various regions of the country, the projects had benefited middle- and upper middle-income households owing to a market policy that excluded the most impoverished segments of the population.[76] JS11 recommended that the Dominican Republic develop measures to redirect public spending to ensure that the planned 1 per cent of gross domestic product (GDP) was allocated entirely to the construction of housing in rural and/or the most impoverished areas for the next 10 years.[77]

47. JS11 reported that the housing shortfall had been exacerbated by the large number of persons left homeless by Hurricanes David (1979) and George (1998), Tropical Storms Noel and Olga (2007) and Hurricanes Irma and Maria (2017) who had received only welfare assistance from the Government, without any medium- or long-term development plan. In addition, JS11 was concerned by the State's failure to protect the right to housing of persons facing forced evictions by private sector actors.[78] JS11 recommended that the Dominican Republic grant legal assistance and certainty to victims from marginalized

groups so that they might access judicial remedies in cases of violations of the right to adequate housing.[79]

48. JS11 recommended that the Dominican Republic invite the Special Rapporteur on the right to housing and the Working Group on business and human rights to visit the Dominican Republic next year.[80]

Right to health[81]

49. JS11 was concerned about universal access to health care, given that the right to health continued to be undermined by the scant resources allocated to the sector, as illustrated by the inappropriate regionalization of health care, the concentration of resources in Santiago and the capital, the lack of emphasis on primary care and the high mortality rate of patients owing to a lack of equipment and medicine in most of the hospitals of the interior.[82] JS11 recommended that the Dominican Republic allocate 5 per cent of GDP to meeting the population's health-care needs.[83]

50. Women's Link Worldwide (WLW) noted that the Dominican Republic was among the countries with the highest maternal mortality rate, at 119 deaths per 100,000 live births. The high rate pointed up severe deficiencies in health care, an inadequate network of services and lack of beds in hospitals, a lack of hospital facilities and shortcomings in the quality of care provided by medical professionals.[84]

51. JS1 reported that the Ministry of Health had acknowledged that, since 98.5 per cent of births took place in hospitals, 80 per cent of maternal deaths could be prevented through better quality health services and the observance of maternal health protocols.[85] ADF International recommended that Dominican Republic improve health care infrastructure, access to emergency obstetric care, midwife training, and resources devoted to maternal health.[86]

52. Joint Submission 4 (JS4) noted that the infant mortality rate was the third highest in Latin America.[87] JS1 reported that the Dominican Republic was among the five countries with the highest rate of teenage pregnancy in Latin America owing to poverty, the lack of access to sexual and reproductive health services and forced child marriage.[88]

53. AI noted that a revised Criminal Code that integrated the decriminalization of abortion in three instances was finally approved in 2014, however, in December 2015 the Constitutional Court struck down the proposed reforms through Judgment 599-15 leaving the old Criminal Code, which dates back to 1884, in force.[89] JS1 submitted that the State maintained a total ban on abortion despite broad popular acceptance of decriminalization in certain situations.[90] WLW added that the total ban on abortion lead to high rates of maternal mortality.[91] ADF International had a different observation.[92]

54. WLW asserted that the State continued to react passively to information on sexual and reproductive health.[93] JS1 noted that the Catholic Church was the direct cause of the bill on sexual and reproductive health's failure to pass through Congress.[94] JS1 recommended that the Dominican Republic enact the bill on sexual and reproductive health.[95] JS5 recommended that it adopt the amended Criminal Code decriminalizing abortion when the life of the mother was at risk, when the pregnancy resulted from rape and when fetal abnormalities were incompatible with life.[96] WLW, JS1 and AI made similar recommendations.[97]

55. JS7 submitted that it was of utmost concern that the health-care system did not provide hormonal or gender affirming treatments for trans persons.[98] JS9 recommended that the Dominican Republic improve the health and well-being of lesbian, gay, bisexual, transgender and gender non-conforming persons.[99] JS10 recommended that it design public policies that addressed the sexual and reproductive health needs of LGBTTI women.[100]

Right to education[101]

56. JS4 reported that the Ten-Year Education Plan 2008–2018 represented a breakthrough for the country, as did the allocation of 4 per cent of the national budget to education and the high level of coverage achieved at the primary level. It also stated that there were concerns about the quality of education, dropout and repetition rates among

vulnerable children, teacher training, the level of violence in schools, and attendance and coverage at the secondary level.[102]

57. FGRD noted that, although the Dominican State had made considerable progress in that area, schools were often used as shelters in the event of a natural disaster, a situation that interrupted teaching for lengthy periods and led to an increase in repetition and dropout rates.[103]

58. JS7 reported that the right of trans women to education was limited by the discrimination that they encountered on a daily basis, both from their peers and from teaching staff.[104] JS7 recommended that the Dominican Republic adopt protocols and/or public policies to combat bullying on grounds of sexual orientation and gender identity.[105] JS9 recommended that the State should devise educational policies aimed at eradicating social and cultural biases, misconceptions and prejudice against members of the LGBTI community.[106]

4. Rights of specific persons or groups

Women[107]

59. JS1 reported that violence against women was the fourth leading cause of death among women of childbearing age, that the measures taken had proved ineffective in eradicating or reducing the high rates of violence and femicide in the country and that they did not provide a comprehensive response to the problem of violence against women.[108] JS1 added that, although the State had put in place a considerable number of strategies in order to ensure a comprehensive approach to combating violence against women, the lack of authority of the Ministry of Women had limited its ability to coordinate those strategies effectively.[109]

60. JS1 recommended that the Dominican Republic adopt the draft organic act on the prevention, punishment and eradication of violence against women and the care of victims, which was the cornerstone of the comprehensive response system being coordinated by the Ministry of Women.[110] JS1 also recommended that the State establish mechanisms to ensure that the Ministry of Women discharged its responsibilities under Act No. 86-99, in particular its obligation to coordinate the implementation of all actions taken at the sectoral and interministerial levels, and in cooperation with civil society, with a view to achieving gender equity.[111]

Children[112]

61. FGRD reported that, between 2014 and 2018, the Dominican Republic had been rocked by several disasters that had disproportionately affected children, who often suffered violence in emergency contexts.[113]

62. JS4 recommended that the Dominican Republic improve the functioning and inter-institutional coordination of the organizations and entities making up the child and adolescent protection system and enact specific legislation prohibiting all forms of violence against children.[114]

63. Global Initiative to End All Corporal Punishment of Children (GIEACPC) noted that corporal punishment was prohibited in schools and in the penal system, but it was still lawful in the home, and in alternative and day-care settings.[115] JS4 noted that 67.4 per cent of households used physical or psychological punishment to discipline their children and that violence against children was one of the main reasons for loss of family care and the emancipation of girls through forced marriage, among other risk factors.[116]

64. JS1 reported that de facto unions between adult men and female minors were commonplace in the country. One in five adolescent girls (23.4 per cent) between 15 and 19 years of age was already married or cohabiting with a man 10 years her senior.[117] JS5 added that monetary poverty was one of the factors driving child marriage. Teenage pregnancy could be considered to be both a cause and consequence of child marriage.[118]

65. JS4 recommended that the Dominican Republic define forced child marriage as a stand-alone offence in the Criminal Code and include forced child marriage among the

criminal offences associated with gender-based violence.[119] JS5 recommended that the State remove provisions allowing and facilitating child marriage and cohabitation from the Civil Code and other legislation and that it develop comprehensive prevention programmes.[120]

66. WLW stated that one of the consequences of the Zika virus was the disabilities that it could cause in the children of mothers who contracted the virus during pregnancy.[121]

Persons with disabilities

67. JS3 reported that, although the National Congress had passed the Organic Act on Equal Rights for Persons with Disabilities (Act No. 5–13) in 2013, it was not until 2016 that its implementing regulations had been set out in Decree No. 363-16.[122]

68. JS3 noted that, to date, no specialized survey for the accurate determination and identification of persons with disabilities had been conducted.[123] JS3 recommended that the Dominican Republic carry out a national disability survey.[124]

69. JS3 made extensive reference to the different accessibility, availability and adaptability-related obstacles facing persons with a physical or motor disability, a hearing impairment, a visual impairment or an intellectual disability.[125] JS3 added that women with disabilities faced greater challenges in securing equal treatment.[126]

70. JS3 recommended that the Dominican Republic abolish any regime that partially or totally deprived persons with disabilities of their legal capacity and revise the Civil Code to recognize their full legal capacity.[127]

71. JS3 recommended that the Dominican Republic introduce inclusive education at all levels for children, young people and adults with disabilities as a means of ensuring the availability of sign language teaching and books in Braille and removing structural barriers.[128]

Minorities and indigenous peoples[129]

72. JS5 stated that the Dominican State had no policies promoting recognition of the Afrodescendant community — a situation that caused human rights violations of a general nature — and that black women faced even greater inequalities because they were excluded on grounds of both gender and race.[130]

73. JS5 recommended that the Dominican Republic adopt the draft general act on equality and non-discrimination, which included specific mechanisms for combating racism, racial discrimination and xenophobia and for protecting and promoting the rights of persons of African descent.[131]

Migrants, refugees, asylum seekers and internally displaced persons[132]

74. The Inter-American Commission on Human Rights commended the efforts made by the Dominican State to provide documentation and a regular migration status to foreign nationals who had entered its territory in an irregular manner, particularly through the adoption and implementation of the National Plan for the Regularization of Foreign Nationals.[133]

75. JS8 stated that immigrants who had travelled to the Dominican Republic to engage in productive work such as the production and cutting of sugar cane, agricultural labour and the construction of State infrastructure should have received fair and non-discriminatory treatment under the above-mentioned plan.[134] JS8 recommended that the country evaluate the plan in question.[135]

76. Diáspora Venezolana referred to the difficulties encountered by members of the Venezuelan community with an irregular migration status in meeting the requirements imposed by migratory regulations.[136] WCC estimated that there were more than 25,000 Venezuelans who had overstayed their tourist visas, of whom an estimated 22,000 were in need of protection and had no access to documentation.[137]

77. Reconoci.do stated that arbitrary and collective deportations continued, with due process being ignored.[138] JS8 stated that there was no up-to-date protocol setting out

guidelines for expulsion and that the persons concerned were denied a hearing before an impartial judge with the assistance of an interpreter or a lawyer.[139] JS8 recommended that the Dominican Republic adhere to international human rights standards in cases of expulsions or deportations of non-nationals.[140] Similar recommendations were made by AI and the World Council of Churches.[141]

78. JS8 added that Haitian immigrants and Dominicans of Haitian descent, regardless of whether or not they had identity documents, had frequently been victims of collective deportations to Haiti.[142] JS6 noted that while the Dominican Government pledged not to carry out deportations during the registration period, that window officially had ended in 2015, exposing thousands of people to the risk of deportation to a country they have never known. Between July 2015 and September 2017, 58,271 people were officially deported to Haiti.[143]

79. ALD stated that the asylum application process in the Dominican Republic was complicated by the large number of documents and items of proof that the State requested in order to approve the application.[144] ALD recommended that the State establish cooperative links between the National Commission for Refugees (CONARE) and the current mission of the Office of the United Nations High Commissioner for Refugees (UNHCR) so as to increase the efficacy of the asylum recognition process, given that UNHCR had information and data that would facilitate the work of CONARE.[145]

Stateless persons[146]

80. AI noted that in September 2013 the Constitutional Court of the Dominican Republic issued judgment 168-13 which stated that children born to foreign parents who did not have regular migration status had never been entitled to Dominican nationality. The judgment was applied retrospectively to people born since 1929. In May 2014, the Dominican Congress had adopted Act No. 169-14 in response to a wave of criticism of judgment 168-13 at both national and international levels. Although it was a step in the right direction, it failed to provide for automatic restoration of Dominican nationality to those who had been arbitrarily deprived of it by judgment 168-13.[147]

81. AI noted that although the Dominican government had shown some willingness to mitigate the harshest consequences of the Judgment, the authorities had yet to acknowledge the problem of statelessness. Several groups of people remained stateless or effectively stateless, owing to the inadequacy of the solutions provided by Act No. 169-14, shortcomings in its implementation and its failure to propose any solution at all for some neglected groups.[148]

82. AI reported that people who were effectively stateless or lacked identity documents faced discrimination in the enjoyment of a range of economic, social and cultural rights, including completing schooling and accessing higher education, as well as accessing formal employment, adequate healthcare or social security and pensions.[149] JS6 noted that without identity documents, it was nearly impossible to apply for insurance, open a bank account, obtain a passport, receive a certificate of good conduct from the police, or submit a complaint to the authorities if a human rights violation was committed.[150]

83. JS2 indicated that Act No. 169-14 divided the Dominicans affected by the judgment into two groups: group A, composed of children of non-resident foreign parents born in the Dominican Republic between 16 June 16 1929 and 18 April 2007 who appeared in the Dominican civil registry; and group B, composed of children of foreign parents born in the Dominican Republic who did not appear in the civil registry.[151] AI added that, according to the law, people belonging to group A could be formally registered as Dominicans, but only after an administrative process carried out by the Central Electoral Board. In the case of people in group B, they should register as foreigners and undergo a complex process which could eventually enable them to apply for naturalization as Dominicans.[152]

84. Reconoci.do referred to the negative implications of Act No. 169-14 for persons in group A and group B, noting that the majority of stateless persons belonged to the latter group.[153] The Inter-American Commission on Human Rights also referred to this issue, as well as to the lack of measures to address the needs of persons born between 18 April 2007

and 26 January 2010.[154] Reconoci.do recommended that the Dominican Republic establish an effective, fast-track naturalization procedure for members of group B.[155]

85. JS2 reported on the social and family segregation resulting from the categorization imposed by Act No. 169-14, which placed brothers and sisters born in the same territory and enjoying the same constitutional protection in different situations.[156]

86. Reconoci.do noted the refusal of hospitals to register the births of children of mixed couples, where the father was Dominican and the mother was Haitian or of Haitian descent.[157] JS8 referred to the situation of undocumented, stateless women who had difficulties in registering the birth of their children.[158]

87. WCC recommended that the Dominican Republic provide clear information concerning the results of the implementation of Act No. 169-14, and the ENI-2017, and present the results to the Dominican and international communities.[159]

88. JS5 recommended that the Dominican State comply with operative paragraphs 18, 19 and 20 of the 2014 judgment of the Inter-American Court of Human Rights (*Expelled Dominicans and Haitians v. Dominican Republic*) in order to suspend the legal effects of Constitutional Court judgment 168-13 and Act No. 169-14.[160]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions

ADF International	ADF International (Switzerland);
AI	Amnesty International (United Kingdom of Great Britain and Northern Ireland);
ALD	Asociación Lazos de Dignidad (Dominican Republic);
CGNK	Center for Global Nonkilling (Switzerland);
Diaspora Venezolana	Diáspora Venezonala en República Dominicana (Dominican Republic);
FGRD	Foro de Gestión de Riesgos de Republica Dominicana (Dominican Republic);
GIEACPC	Global Initiative to End All Corporal Punishment of Children (United Kingdom of Great Britain and Northern Ireland);
ICAN	International Campaign to abolish nuclear weapons (Switzerland);
Reconoci.do	Movimiento Reconocido (Dominican Republic);
WLW	Women's Link Worldwide (Colombia);
WCC	World Council of Churches (Switzerland);

Joint submissions

JS1	**Joint submission 1 submitted by**: Centro de Estudios de Género de Intec. Centro de Desarrollo Social (CEDESO). Centro de Investigación para la Acción Femenina (CIPAF). Centro de Solidaridad para el Desarrollo de la Mujer (CE-MUJER). Colectiva Mujer y Salud (CMS). Confederación Nacional de Mujeres del Campo (CONAMUCA. Coordinadora de Mujeres del Cibao (CMC). Foro Feminista Magaly Pineda. Fund. Mujeres Empoderadas Abriendo Caminos. Movimiento de Mujeres Dominico Haitianas (MUDHA). Movimiento Feminista Hermanas Mirabal. Movimiento Sociocultural para los Trabajadores Haitianos (MOSCTHA). Núcleo de Apoyo a la Mujer (NAM). Oxfam en República Dominicana. Profamilia. Plan Internacional (Dominican Republic);
JS2	**Joint submission 2 submitted by**: Movimiento Socio Cultural para los trabajadores haitianos, Inc MOSCTHA Afro Alianza Dominicana Fundación derechos vigentes (Dominican Republic);
JS3	**Joint submission 3 submitted by**: Alianza Discapacidad Por Nuestros Derechos (ADIDE). Asociación de Personas con Discapacidad Físico- Motora

(ASODIFIMO), Círculo de Mujeres con Discapacidad (CIMUDIS), Fundación Dominicana de Ciegos (FUDCI), Fundación para la Integración y Desarrollo del Sordo (FUNDEISOR), Fundación de Preparación y Asistencia a la Juventud y Personas con Discapacidad (FUPAJUDI), y la Asociación Dominicana de Síndrome de Down (ADOSID). (Dominican Republic);

JS4 **Joint submission 4 submitted by**: SOS Children's Villages Dominican Republic, Plan International, World Vision, Muchachos y Muchachas con Don Bosco, Proyecto Caminantes de Boca Chica, Children International, Casa Abierta, ACOPRO, Aprendices con Don Bosco, Hogar Renacer, Save the Children, Acción Callejera, FUNDEBMUNI, Proyecto MAIS, Pastoral Juvenil, Niños del Camino, Compasion International, CIPAF, CIDAIL, ODESA, PROFAMILIA, PROINFANCIA, UJEDO. (Dominican Republic);

JS5 **Joint submission 5 submitted by**: Centro de Solidaridad para el Desarrollo de la Mujer, CE-MUJER; Colectiva Mujer y Salud; Comité de América Latina y el Caribe para la Defensa de los Derechos de la Mujer-República Dominicana (CLADEM-RD); Núcleo de Apoyo a la Mujer (NAM), Save The Children Dominicana (SCRD). (Dominican Republic);

JS6 **Joint submission 6 submitted by**: Dominicanos por Derechos The Institute on Statelessness and Inclusion The Center for Justice and International Law (The Netherlands);

JS7 **Joint submission 7 submitted by**: Trans Siempre Amigas (TRANSSA); Observatorio Derechos Humanos Grupos Vulnerabilizados (Dominican Republic);

JS8 **Joint submission 8 submitted by**: Movimiento Socio Cultural para Trabajadores Haitianos (MODCTHA), Instituto de Acción Comunitaria (IDAC), Plataforma de Instituciones Haitianas y sus Familias PIHF-RD, Fundación Etnica Integral (FEI) Movimiento de Mujeres Dominico Haitiana (MUDHA), Comisión Nacional de Derechos Humanos (CNDH-RD) Comité Dominicano de los Derechos Humanos (C.D.H.); Fundación Derechos Vigentes (FDV), (Dominican Republic);

JS9 **Joint submission 9 submitted by**: Fundación Comunidad Esperanza y Justicia Internacional, Inc. (FUNCJEI) Centro de Estudios Biopsicosociales LGBT (CEB-LGBT) (Dominican Republic);

JS10 **Joint submission 10 submitted by**: Diversidad Dominicana (DIVERDOM), Coordinadora Lesbica a de Hombres Trans; Gente Activa y Participativa (GAY); Fundacion Comunidad y Justicia Internacional (FUNJECI); Comunidad de Lesbianas Inclusivas Dominicanas (COLESDOM); Centro de Estudios Biopsicosociales (CEB LGBT) (Dominican Republic);

JS11 **Joint submission 11 submitted by**: Dominicans for Justice and Peace, Acción Verapaz, Radio Seybo, Ciudad Alternativa, CasaYa, Centro Antonio Montesinos and Seibanos sin Techo del Callejón Matencio (Dominican Republic).

Regional intergovernmental organization(s):

CIDH Comisión Interamericana de Derechos Humanos (United States).

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child

	prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] For relevant recommendations see A/HRC/26/15, paras. 98.1–98.21; 98.31–98.33.
[4] CGNK, p. 4.
[5] JS6, p. 3.
[6] ALD, p. 5.
[7] CGNK, p. 5.
[8] JS6, p. 15; AI, p. 6; JS2, p. 4 and p. 10; WCC, p. 4.
[9] AI, p. 5.
[10] For relevant recommendations see A/HRC/26/15, paras. 98.22–98.29.
[11] JS5, p. 7.
[12] JS5, p. 7.
[13] JS10, p. 5.
[14] JS11, p. 1.
[15] JS7, p. 10.
[16] JS2, p. 3.
[17] For relevant recommendations see A/HRC/26/15, paras. 98.37–98.39; 98.42–98.43; 98.109–98.111.
[18] JS2, p. 4.
[19] JS8, p. 7.
[20] CIDH, Contribución al Examen Periódico Universal, Republica Dominicana 2018, Tercer ciclo, p. 12.
[21] JS2, p. 19; JS6, p. 15; JS10, p. 5.
[22] JS7, p. 10; JS9, p. 2.
[23] JS9, pp. 3–5.
[24] JS7, p. 4.
[25] JS9, p. 2. See also JS10, p. 5.
[26] JS10, p. 3.
[27] JS9, p. 5; JS10, p. 5.
[28] For relevant recommendations see A/HRC/26/15, paras. 98.41; 98.44–98.53.
[29] AI, p. 4.
[30] JS11, pp. 11–12.
[31] JS7, p. 8; JS9, p. 2; AI, p. 5.
[32] JS9, p. 2.
[33] JS7, p. 10.
[34] JS9, p. 5; AI, p. 6.
[35] JS10, p. 5.
[36] JS10, p. 3.
[37] JS11, p. 10.
[38] JS11, p. 11.
[39] JS11, pp. 11–12.
[40] JS3, p. 13.
[41] ICAN, p. 1.
[42] For relevant recommendations see A/HRC/26/15, paras. 98.75.
[43] JS7, p. 5.
[44] JS7, pp. 9–10.
[45] JS9, p. 6
[46] JS5, p. 5.
[47] For relevant recommendations see A/HRC/26/15, paras. 98.77–98.78.
[48] CIDH, Contribución al Examen Periódico Universal, Republica Dominicana 2018, Tercer ciclo, p. 12. See also: AI, p. 4; JS6, p. 14.
[49] JS6, p. 14; AI, p. 4.
[50] JS6, p. 15.
[51] JS1, p. 5.
[52] For relevant recommendations see A/HRC/26/15, paras. 98.36; 98.68; 98.71–98.74.
[53] JS8, p. 7.
[54] JS8, p. 11.
[55] JS5, p. 10.
[56] JS1, p. 13.

[57] JS5, p. 9.
[58] For relevant recommendations see A/HRC/26/15, paras. 98.76.
[59] JS2, p. 3.
[60] CGNK, p. 5.
[61] WCC, p. 3.
[62] JS5, p. 11.
[63] For relevant recommendations see A/HRC/26/15, paras. 98.69–98.70; 98.79.
[64] JS5, p. 8.
[65] JS1, p. 4.
[66] JS5, p. 7.
[67] JS1, p. 5.
[68] JS7, p. 6.
[69] JS11, p. 9.
[70] For relevant recommendations see A/HRC/26/15, paras. 98.90.
[71] JS1, p. 4.
[72] For relevant recommendations see A/HRC/26/15, paras. 98.80–98.87.
[73] JS1, p. 3.
[74] FGRD, p. 3.
[75] A/HRC/26/15, para 98.86 (Egypt).
[76] JS11, p. 2.
[77] JS11, pp. 5–6.
[78] JS11, p. 3.
[79] JS11, p. 6.
[80] JS11, pp. 5–6.
[81] For relevant recommendations see A/HRC/26/15, paras. 98.91–98.99.
[82] JS11, pp. 6–7.
[83] JS11, p. 8.
[84] WLW, p. 2. See also JS5, p. 10; ADF, p. 4. JS1, p. 7.
[85] JS1, p. 7.
[86] ADF, p. 6.
[87] JS4, p. 5.
[88] JS1, p. 8.
[89] AI, p. 4.
[90] JS1, pp. 6–7. See also CIDH, pp. 13–14.
[91] WLW, p. 3.
[92] ADF, p. 4.
[93] WLW, p. 3.
[94] WLW, p. 3.
[95] JS1, p. 10.
[96] JS5, p. 11.
[97] WLW, p. 5; JS1, p. 11; AI, p. 6.
[98] JS7, p. 9.
[99] JS9, p. 6.
[100] JS10, p. 5.
[101] For relevant recommendations see A/HRC/26/15, paras. 98.100–98.106.
[102] JS4, pp. 6–7.
[103] FGRD, p. 2.
[104] JS7, p. 8.
[105] JS7, p. 10.
[106] JS9, p. 6.
[107] For relevant recommendations see A/HRC/26/15, paras. 98.34–98.35; 98.54–98.67; 98.88–98.89.
[108] JS1, p. 12.
[109] JS1, p. 12.
[110] JS1, p. 14.
[111] JS1, p. 2.
[112] For relevant recommendations see A/HRC/26/15, paras. 98.87–98.88; 98.101–98.103; 98.108; 98.127.
[113] FGRD, pp. 2–3.
[114] JS4, p. 3.
[115] GIEACPC, p. 2.
[116] JS4, p. 2.
[117] JS1, p. 10.
[118] JS5, p. 11.
[119] JS4, p. 5.

[120] JS5, p. 12.
[121] WLW, p. 5.
[122] JS3, p. 2.
[123] JS3, p. 3.
[124] JS3, p. 14.
[125] JS3, pp. 5–10.
[126] JS3, p. 11.
[127] JS3, p. 14.
[128] JS3, p. 14.
[129] For relevant recommendations see A/HRC/26/15, paras. 98.40.
[130] JS5, pp. 2–3.
[131] JS5 pp. 3–4.
[132] For relevant recommendations see A/HRC/26/15, paras. 98.107–98.108; 98.120–98.124.
[133] CIDH, Contribución al Examen Periódico Universal, Republica Dominicana 2018, Tercer ciclo, pp. 10–12. See also JS8 p. 4
[134] JS8, p. 6.
[135] JS8 p. 9.
[136] Diáspora Venezolana, pp. 2–5.
[137] WCC, p. 4.
[138] Reconoci do, p. 5. See also WLW, p. 5; JS6, pp. 8–9; JS8, p. 5.
[139] JS8, p. 5.
[140] JS8, p. 10.
[141] AI, p. 7; WCC, p. 5.
[142] JS8, p. 5.
[143] JS6, p. 11.
[144] ALD, pp. 3–4.
[145] ALD, p. 5.
[146] For relevant recommendations see A/HRC/26/15, paras. 98.112–98.119; 98.125–98.133.
[147] AI, p. 2. See also: WCC, pp. 2–3; JS5 p. 4; JS6, pp. 4–11; JS11, p. 8.
[148] AI, p. 3.
[149] AI, p. 4.
[150] JS6, p. 13. See also CIDH, Contribución al Examen Periódico Universal, Republica Dominicana 2018, Tercer ciclo, pp. 6–7.
[151] JS2, p. 5.
[152] AI, p. 2.
[153] Reconoci do, pp. 2–5.
[154] CIDH, Contribución al Examen Periódico Universal, Republica Dominicana 2018, Tercer ciclo, pp. 7–10.
[155] Reconoci do p. 6.
[156] JS2, pp. 5–8.
[157] Reconoci do, p. 5.
[158] JS8, p. 9.
[159] WCC, p. 4.
[160] JS5, p. 6.